

MATTAPONI INDIAN TRIBE
 PETITION FOR FEDERAL ACKNOWLEDGMENT
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Date	Excerpt
	the cultural center to assist in the tribe's future plans of adding a museum and archives to the building. [...] ²¹¹
1998	The Mattaponi Indian Tribe of Virginia have fished for shad on the Mattaponi River for more than 300 years. They have a small shad hatchery and have applied for funding to expand the facility. ²¹²
May 20, 1999	The Mattaponi Indians marched on Jamestown Saturday to protest Newport News' plans for a water reservoir in King William County. [...] About 600 people joined in the protest march on the nation's first permanent English settlement. The proposed reservoir, designed to meet Newport News' future water needs, also is of concern to two other area tribes, the Pamunkey and the Upper Mattaponi, and is opposed by environmentalists on several grounds. ²¹³
November 24, 1999	Two recent grants- one from Crestar Bank and another from the Chesapeake Bay Restoration Advisory Committee in 1977- will allow the Mattaponi to expand the hatchery to include Rockfish in the river's bounty ²¹⁴

Annual Homecoming

Homecoming is an annual church-based event at which the Mattaponi tribal community gathers and often includes tribal members who live far from the Reservation coming home. Tribal members participating in recent oral history interviews have discussed this and other important events associated with the Mattaponi Indian Baptist Church. ²¹⁵

Table B5-16. Community Activities, 1980-1999: Annual Homecoming in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	1980 ca.	Oh, definitely. Yes. Of course, our church homecoming was a large one. Sunrise service for Easter. [...] ²¹⁶
[REDACTED]	1980 ca.	[...] The older people, the men would get together, they would fish, they would come back and they'd have to clean their nets. So that was always like a fun time. Just kind of hanging out. Nothing was very organized. Like we didn't have scheduled anything except for fourth Sunday of August has always been for the past, what was it? Ninety years, ninety-five years, homecoming at church. [...] It's revival church service when they have... it used to be a week long. Now it's only three days, but the fourth Sunday we have church service. The ladies would all cook and have lunch on the church grounds. ²¹⁷

²¹¹ Staff, "Youth choir aids Mattaponi tribe," *Southside Sentinel*, (Urbanna, VA), August 21, 1997.

²¹² Shaiman, M., "Mattaponi Shad Fishery Threatened," *On Indian Land*, (Seattle, WA), 1998.

²¹³ Wilson, J., "Mattaponi march on Jamestown to protest proposed reservoir," *Rappahannock Record*, (Kilmarnock, VA), May 20, 1999.

²¹⁴ Jenkins, M. R., "Indians head to Capitol for Thanksgiving tribute," *Suffolk News-Herald*, (Suffolk, VA), November 24, 1999.

²¹⁵ Mattaponi citizens who discussed the annual homecoming event as a significant part of Mattaponi community throughout their lives in their interviews included [REDACTED]

²¹⁶ [REDACTED], "Interview: [REDACTED]," By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, September 12, 2023. PDF Page 6.

²¹⁷ [REDACTED], "Interview: [REDACTED]," By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, July 5, 2023. PDF Page 4.

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Annual Powwow and Other Social Events

During this period, the Mattaponi Indian Tribe consistently gathered as a community, formally and informally. For example, a local newspaper covered the intersection of religious events with important seasonal milestones linked to riverine resources: “The 75 members of the tribe currently celebrate Easter sunrise to mark the annual shad run up the river as a spring feast of thanks.”²¹⁸

In 1996, the Tribe reinstated the annual powwow,²¹⁹ an event that echoed the fish fries of the early 1900s. The primary intent was to provide a space for tribal citizens to connect with their heritage and each other. During this period, the powwows acted as both an internal and external event, allowing the Tribe to represent Mattaponi culture to the wider public and to use the event to fundraise to support important tribal initiatives.²²⁰ The powwow was fully organized and staffed by tribal members. Contemporary oral histories detail the re-establishment of this event and its placement as a central community activity, and mention other social aspects of life on the reservation.

Table B5-17. Community Activities, 1980-1999: Annual Powwow and Other Social Events in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	1985 ca.	[...] we used to have large parties, here again at the school building, for everybody, all the cousins, aunts and uncles. ²²¹
[REDACTED]	1985 ca.	I used to love coming here. We'd go fishing, we would come to the powwows every year and homecoming. ²²²
[REDACTED]	1985 ca.	[...] We always had something going on and we always had big fish fries and things like that after the fishing season. We always have events after the hunting season and so forth as well. A little get-together where people got together and it was a good time. ²²³ [...]
[REDACTED]	1990 ca.	[...] It was also very centered around family and the fact that we would all gather at our grandparents house every weekend. Every Saturday, Sunday, I would see all my cousins. I would see all my aunts and uncles in one way shape or form on Sunday. That was just the ritual. Food brought us together here culturally. We would eat, we would talk, we would socialize, we would have a good time, and we would go back home. I'm not exaggerating, that was every weekend. ²²⁴ [...]
[REDACTED]	1995 ca.	[REDACTED]: Can you talk about the process of deciding to bring the powwow back and how that happened? Well, it's kind of funny. We was trying to bring it back. That's me and [REDACTED] We brought it to the

²¹⁸ Staff, “For the Record,” *Rappahannock Record*, (Urbanna, VA), May 27, 1993.

²¹⁹ “First Annual Powwow,” [REDACTED] Collection, Box 3, Folder 9. The inaugural powwow was held off of the reservation in 1995 (Personal Communication, [REDACTED], October 22, 2024).

²²⁰ See discussion of the Powwow in Section IV, Part C for this period.

²²¹ [REDACTED], “Interview: [REDACTED],” By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, July 5, 2023. PDF Page 2.

²²² [REDACTED], “Interview: [REDACTED],” By [REDACTED], Mattaponi Indian Tribe, July 18, 2023. PDF Page 3.

²²³ [REDACTED], “Interview: [REDACTED],” By [REDACTED] and [REDACTED] Mattaponi Indian Tribe, September 12, 2023. PDF Page 6.

²²⁴ [REDACTED] “Interview: [REDACTED] Part One,” By [REDACTED], Mattaponi Indian Tribe, December 15, 2022. PDF Page 3.

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		tribal meeting and they really weren't for it because they figured we're so young, boys, didn't know what we're doing. And so, we took it off the reservation and took it up to Zoar Park and did it up there. And then the reservation, they were a part of it. And they saw that we knew what we was doing it, and the following year it was back down here. ²²⁵
	1995 ca.	[...] I've always participated in the powwows behind the scenes. I've either cooked, I've done first aid, I've parked cars, I've picked up trash, I've collected money. To actual dance at a powwow, I have not done that in some time. I've been to the Governor's Thanksgiving tribute several times. Our very first powwow, I don't remember the exact year, was actually at Zoar Park in King William. And I remember I was probably, tell my age. Let's see. I don't think I was driving, so I was probably fifteen or sixteen and I even cooked there, too, so helped in the kitchen. I think the powwow is probably our biggest community event at and on the reservation, but I've always tried my best. ²²⁶ [...]
	1998 ca.	I helped at the first powwow we had, made fry bread and worked in the kitchen. [REDACTED]: Do you remember what the planning of the powwow was like, deciding to have one? Chief [REDACTED] is the one that got together with all of us and I think we are the only family that really did the first powwow. [...] Yeah, we were the first ones that did that one. And we had a really good turnout for that one. We ran out of food, but we had a good turnout and every year it's gotten bigger and bigger. So now more people are helping, like our children are helping where we didn't have that before because they were little. But now it's gotten big and it's really a great day. ²²⁷ [...]

Historic Preservation and Cultural Education

Throughout this period, the Mattaponi Indian Tribe spent considerable time and resources making presentations and performances, both on and off the reservation, to educate Mattaponi and non-Mattaponi people about their culture and history. Oral history interviews record efforts to preserve the Mattaponi linguistic, dance, and regalia traditions within the community as well as outreach programming.

Table B5-18. Community Activities, 1980-1999: Historic Preservation and Cultural Education in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	1980 ca.	[REDACTED] So, I heard you say, [REDACTED] he spoke Algonquian. And you heard that from your grandma [REDACTED] so. [...] [REDACTED]: And my father [REDACTED] [...] [REDACTED] Right, your father, too. Okay, good. Did you learn any of the words? [...]

²²⁵ [REDACTED], "Interview: [REDACTED]." By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, July 26, 2023, PDF Page 6.

²²⁶ [REDACTED], "Interview: [REDACTED]." By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, July 5, 2023, PDF Page 8.

²²⁷ [REDACTED]n, "Interview: [REDACTED]." By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, July 25, 2023, PDF Page 8.

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Interviewee	Date	Excerpt
		<p>██████████ My father had, I don't have it anymore, but at some point, I think back in maybe the late [19]80s, early [19]90s, I know there was a project going on where we were trying to collect, or a group was trying to collect as many words as possible.²²⁸</p>
██████████	1980 ca.	<p>██████████: Can you tell me some of the things the Indian Education Act provides for today for the Natives?]</p> <p>Today, afterschool activities. I forgot about that. Excuse me. There were afterschool activities. When we first started out, it was afterschool activities. We even had dancers come in and teach 'em how to dance. We had them come in and we used this building to make regalias, do the beadwork, do the basket weaving. Shirley ██████████; ██████████ helped do the basket weaving and all here. And then, believe it or not, for Native American children, we paid for their eyeglasses, their eye exams, their dentist, and all of that, and a doctor's visit. So that's basically what our Indian Education Act did. Plus, if we had any money left over, we paid for trips to other reservations, Jamestown trips. We also paid for all of our children, so their parents didn't have—well, some of them didn't have the money to pay for their field trips. We picked up the field trip charges. Plus, a lot of us made their lunches and brought them to school because everybody else had to bring their lunch. We brought their lunches to school for 'em.²²⁹</p>
██████████	1980 ca.	<p>Dad ██████████ wrote out a prayer and the linguist took that and translated it Algonquian. And so, that became known as the Algonquian prayer. Dad would take and pray in many different occasions. He did that down at the state capital, he did that in England. Did that at the powwow there opening the powwow. I inherited that and did that as well for several of the powwows there.²³¹</p> <p>[...]</p>
██████████	1980 ca.	<p>Oh, definitely. Yes. From the time I was able to walk, my mother ██████████</p> <p>██████████ she traveled with the history of our people for over fifty years to schools, museums, historical sites. And from the time I could walk, she had me traveling with her. And of course, how I learned was by listening and watching her. And a lot of the traditional skills that's been handed down again, many different types of baskets. We were weaving when I was young and I still practice this today. And pottery. A lot of the bone tools, for instance, a lot of the old shuttle needles that were used for mending the nets were made out of bones the same way they were made four hundred years ago. Bone or wood. So, making bone tools, hide tanning, beadwork. So, all these things. And, of course, some things, our people sort of got away from, for instance, stone tools.</p> <p>[...] Anyway, we used to have to go and dig that clay out and then they would use a mixture of things like sand and crushed shell and stuff to help</p>

²²⁸ ██████████, "Interview: ██████████," By ██████████, Mattaponi Indian Tribe, July 18, 2023. PDF Page 14.

²²⁹ ██████████, "Interview: ██████████," By ██████████ and ██████████, Mattaponi Indian Tribe, July 25, 2023. PDF Page 13.

²³⁰ ██████████ has Mattaponi lineage but is enrolled with the Eastern Chickahominy Tribe.

²³¹ ██████████, "Interview: ██████████," By ██████████ and ██████████ Mattaponi Indian Tribe, November 27, 2023. PDF Page 14-15.

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Interviewee	Date	Excerpt
		temper it. And back in those days, we didn't have a kiln. So, the elders back then used to actually pit-fire the old pottery. That was a time when all everybody would get together and it's like a big—I mean, so pretty much any time, any kind of seasonal time of year where you were doing something, everybody came together and it was like a community doing it. Everybody did the same thing. And I think that's something our people's always done. It was a time of celebration, but at the same time you're getting work done. ²³²
[REDACTED]	1985 ca.	Yeah, all over the state. I used to represent our people, the tribe itself. Like I said, me, Mama [REDACTED], and [REDACTED]. Before [REDACTED] got sick, we used to go all over teaching people about the reservation, that they were still here, and teaching the history of our people. My youngest brother, [REDACTED] still does it today. He works for [REDACTED]. And he goes around and helps the reservations and he used to work down in Jamestown teaching history down there. And he goes all over still, doing history, but he goes to all the reservations and help them out to teach them the correct way. Helps them out so that way the younger generation can learn and carry it on. ²³³
[REDACTED]	1985 ca.	Yes, I was, I was president of, at high school, they had a Native American group. Once a month they would shorten each of the classes and then people can pick like these studies they wanted to go to. Then we had a Native American group because there was a large group of Native people in King William schools. So, I was a president of the Native American group.” [REDACTED] And what would the organization do?] We would, again, talk about our culture. Put programs together to learn how to do things. Just like we did here, had to do some beadwork, pottery work, things of that nature, learn how to make a drum, how to drum, even had some words that we had, still had that we used and put them out and shared them with everyone. So, it was a little bit of everything. That group still goes on today but it's now, it's like an afterhours group. I mean, it's after school now and I'm not involved in it now. But when it was still continuing to happen, I was involved. Probably one of the best things out of that group is that we, the high school students, went and one of the things we did was we interviewed our elders in our tribal communities, and we had everything taped and King William County does not know what they did with those tapes. ²³⁴
[REDACTED]	1985 ca.	When I was in middle school, we had an Indian club. And they let us form it. And it was some of us here and some of the Pamunkeys, some other ones involved. And I think I was the secretary of that club. But anyway, we got together and we raised money and we got enough money to go to

²³² [REDACTED], “Interview: [REDACTED],” By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, September 12, 2023. PDF Page 9-10.

²³³ [REDACTED], “Interview: [REDACTED],” By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, August 31, 2023. PDF Page 8.

²³⁴ [REDACTED], “Interview: [REDACTED],” By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, July 26, 2023. PDF Page 11.

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		<p>Cherokee, North Carolina to see how they live. And I wrote a big old thing up on them with pictures and everything. And also, Daddy ██████████ ██████████ took us all there. It's all in the library at King William. I left it in the library. Also I did a video—I had a history class we had to do. Anyway, my teacher made me do Native American. So, well, all I did was I got a bunch of questions, and I went and I interviewed ██████████ ██████████.²³⁵</p>
██████████	1990 ca.	<p>We did a lot of hunting, trapping. And then of course we had lots of cultural workshops when I was younger that a lot of the elders and our parents put together, making regalia, basket weaving, pottery making, beading, our traditional dancing was taught to us.</p> <p>[...] That's when we start preparing for the hunting season oftentimes incorporated into our church service. We talk about the taquitock, the fall, so words like that, yes. And of course, then you come into the spring of the year, we'd incorporate—we'd ask the Creator for a bountiful fishing season, a bountiful crop season. So, and of course, at our powwows—which we brought the powwows back. My grandfather ██████████ ██████████ remembers when he was a young man, you know, us having powwows here that all the tribes would come to. A lot of times they would actually hold them right down on the riverbank. And he would talk about these and how such a good time it was where we would do traditional singing and dancing. And back then the public really wasn't invited. It was just for our people. And that's where people would bring different dishes and things. We'd feast and we'd give thanks. And then, of course, when I was probably— was in my twenties when we started back having, we brought the powwows back and then—of course, the powwows then at that point, public was allowed to—that's where we would always give a prayer and always demonstrate our traditional songs and dance for the public, so they would have a better understanding of our culture.</p> <p>[...] I can't count all the schools that I've been to where I've represented our people traveling with my mother ██████████ ██████████ and sometimes on my own. I've done countless lectures, again, for museums, historical sites, and so forth. Universities in-state and a lot of the bordering states as well. And also, made lots of artifact reproductions for people to use and participated in things like the Crab Carnival in West Point. And I was Grand Marshal for a parade up in Northern Virginia, [...] I've done a lot of traveling. And trying to educate people, who we are and that we're still here. And I was with the delegation. You know, we had members of—this is back when the Virginia Council on Indians went with Thomasina Jordan, my mother, and other members of the VCI to Washington D.C. to meet with the BIA, the Bureau of Indian Affairs, about federal recognition originally. So just asking about that was back in the [19]90s.²³⁶</p>

²³⁵ ██████████, "Interview: ██████████," By ██████████ and ██████████, Mattaponi Indian Tribe, July 12, 2023. PDF Page 7.

²³⁶ ██████████, "Interview: ██████████," By ██████████ and ██████████, Mattaponi Indian Tribe, September 12, 2023. PDF Page 2, 9, 15.

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Interviewee	Date	Excerpt
[REDACTED]	1994 ca.	<p>I remember the first time ever having turtle stew was at [REDACTED] house. She would always cook things like that. She always had the turtle boxes and made rattles and things like that. She didn't just trap the food as food, but she actually used a lot of the material too for other things to make, like I mentioned, rattles. She would also make muskrat. I never had muskrat, but she would use the skull and make things. That's part of the things she would sell at her craft shop or her river man- I can't remember the name of it. They had a pottery and craft shop and they would use those things.</p> <p>[...] I can say as a young child, not a formal school, but we did have different culture classes and things here. We still do, where we learn pottery making or beadwork or regalia. These are things that the youth did and do to continue on the traditions. More or less workshops and those kind of classes on culture, on dance, that I've participated in throughout my youth.²³⁷</p>
[REDACTED]	1999 ca.	<p>My grandmother and my great-grandmother were also potters and did beadwork also. And I remember—I don't think I remember a time where I was not involved in making pottery with them. I was—within the schoolhouse now, on the other side of it was the pottery studio, I guess. There are pictures of me, four years old, making pottery there. And doing beadwork. I was a little too young to get it because I had to hold a needle, but I was doing beadwork. And learning with those bigger round pony beads, but my grandmother and my great-grandmother were doing it regularly. They were also participating in powwows. That's also when I first started to dance.</p> <p>[...] My grandmother [REDACTED] She would spend her winters and spring working on her pottery and beadwork. And come spring, or the end of spring, we would start traveling to different powwows. So, all of that was my experience with fishing, gardening, pottery making, you know, learning how to dig for the pottery like on the riverbank. Sometimes, I remember having to go over to the Pamunkey River to dig for pottery with the other elder women there who were also doing the same thing. And they had, you know, their own group together and would sometimes get together on the Pamunkey reservation, the Mattaponi and the Pamunkey women who would dig for the clay, and sometimes there would be men who would help dig up the clay. And I would participate in all the ways that I was allowed to participate, as long as I couldn't get hurt or anything like that. Tempering the clay, digging the hole to help make the outdoor fire pit. We did a lot of that. And I remember it was before I was in kindergarten—before I started public school.</p> <p>[...] We had cultural classes. I want to say I was about twelve years old, maybe. That was happening there. That also might have been done through the school, the county school system at the time. I believe it kept going after the school might have shut that down. So, we had things like that happening.²³⁸</p>

²³⁷ [REDACTED] "Interview: [REDACTED] Part One," By [REDACTED], Mattaponi Indian Tribe, December 15, 2022. PDF Page 4, 9.

²³⁸ [REDACTED] "Interview: [REDACTED]," By [REDACTED], Mattaponi Indian Tribe, August 22, 2023. PDF Page 4-5, 8.

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The Mattaponi Indian Tribe regularly engaged in outward-facing educational and historic preservation efforts that were documented in local publications. Examples of cultural education activities during this period include presentations for school field trips (November 25, 1987), representation of the Tribe in public ceremonies (July 8, 1981) and celebrations (April 16, 1981), dances (November 25, 1987), and hosting visitors at the Mattaponi Indian Reservation for educational programming (November 20, 1980). A Mattaponi representative's service on the Jamestown-Yorktown Foundation board, specifically to offer Virginia Indian perspectives on the historical interpretation and programming offered at the Foundation's museum, began during this period (1997). Members of the Mattaponi Indian Tribe also reported to journalists examples of internal cultural preservation, including the persistence of Algonquian language (April 12, 1986) and group efforts to continue Mattaponi pottery practices (1987).

Table B5-19. Community Activities, 1980-1999: Historic Preservation and Cultural Education in Other Sources.

Date	Excerpt
1980 ca.	<p>The Mattaponi opened its pow wow - the only one held on a reservation in Virginia - to the public in the 1980s, and the Mattaponi Indian Tribe pow wow is held each June. "We started opening up the pow wow to the public to show our way of life; in the pow wow, we carry our true spirit in the dance arena, so others can be better informed of our ways," she [REDACTED].²³⁹</p>
November 20, 1980	<p>Two vans of the Area Agency on Aging carried a group of senior citizens from the Gloucester Nutrition Site to the Mattaponi Indian Reservation on September 25th. The reservation is located a few miles above West Point.</p> <p>[...] For most who went, it was a delightful day. We looked at some of the mementoes, and exhibits, and heard Rev. Curtis Custalow [REDACTED] give an informative and inspiring lecture on the history of the tribe with some of the modern life.</p> <p>[...] We thank the Custalows for an interesting stay.²⁴⁰</p>
April 16, 1981	<p>Among the many exhibits and demonstrations to be a part of the Century III Celebration, one of special interest will be the Mattaponi Indians of West Point.</p> <p>Under the guidance of Chief Thundercloud [REDACTED] and Princess Minnie-Ha-Ha [<i>sic</i>; Minnie Ha-Ha; [REDACTED]], two groups of Indians will be sponsored by The Northumberland Echo. Their exhibits, located near the Chicacoan Oak Tree in Heathsville, will feature Indian artifacts and an authentic tepee.</p> <p>Jacob V. Custalow, Chief Thundercloud, will demonstrate and show Indian crafts and artifacts in the historical shelter of the Indian, the tepee. A sixth generation Mattaponi, Chief Thundercloud [<i>sic</i>; Assistant Chief Thundercloud], is the son of the late Chief Hos-Ki-No-Wa-Na-Ah [REDACTED].</p> <p>[...] Princess Minnie-Ha-Ha [<i>sic</i>; Minnie Ha-Ha] is the daughter of Chief Hos-Ki-Na-Wah-Nah-Ah Custalow and the wife of Chief Curtis "Warhorse" Custalow [REDACTED] who was Mattaponi tribal chief from 1969-[19]77. Their contribution to the Century III Celebration will include their grandchildren, who will perform the peace pipe ceremony, the peace (or welcome) dance, the snake dance and various Indian songs. In addition, they will also demonstrate crafts and artifacts indigenous to the tribe.</p> <p>Chief "Warhorse" Custalow was born on the reservation and has been a leading tribal leader, serving as chief for several years. The Educational and Trading Post for educating the public,</p>

²³⁹Whitehead, Bobbie, "Mattaponi crafter continues tradition and enjoys hard work," *Indian Country Today*, March 9 2005.

²⁴⁰ Vaughn, C., "Seniors Visit Mattaponi Indian Reservation," *Glo-Quips*, (Gloucester, VA), November 20, 1980.

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	as well as Indian people, on Indian culture was opened under his guidance. Also he has represented the reservation in numerous state, local and national agencies, not only by providing information, but also in securing better recognition for Indian problems across the country. ²⁴¹
April 30, 1981	[...] Gertrude Custalow [REDACTED] of the Mattaponi Indian Reservation in West Point will exhibit Indian beadwork and leather. Other Indian tribes to be represented are: the Powhatan Tribal Artisans; the Chickahominy Tribe of Providence Forge, who will demonstrate pottery, leather and beadwork; the Pamunkey Tribe of King William who will be showing pottery, hatchets, beadwork and tom-toms; the Mattaponi Tribe of West Point; and the Rappahannock Tribe of Tappahannock. [...] ²⁴²
July 8, 1981	The chief [REDACTED] ²⁴³ will open the ceremonies at the River Road stage with a prayer and the traditional peace pipe ceremony. ²⁴⁴
April 22, 1982	[...] Gertrude Custalow [REDACTED] of the Mattaponi Indian Reservation in West Point gave a demonstration of bead and leatherwork in the Student Lounge. [...] ²⁴⁵
1984 ca.	The Powhatan Tribal Artisans [...] Mattaponi: [REDACTED] ²⁴⁶
December 2, 1985	The Chief [REDACTED] was wearing a ceremonial headdress made of leather and feathers with some bead work in the design of a thunderbird on it. He was also wearing a necklace of ark and scallop shells strung on a string of some sort. His shirt was of a red flowery pattern with long sleeves because it was a little chilly inside the building. In place of a tie, he was wearing a crafted bead work item in the form of a tie. His pants were made of leather and appeared to be well made. ²⁴⁷
April 12, 1986	Gertrude [REDACTED] also said that her father [REDACTED] had taught her and her siblings three Indian words not written down anywhere. The one she told us about was VAUMP (her spelling), which means "fresh game or fish." ²⁴⁸
1987	Some compromises have been made with the 20th century for another [<i>sic</i>] tradition that has survived on the Mattaponi and Pamunkey Indian reservations pottery. One is the use of commercial clay by the Mattaponis.

²⁴¹ Staff, "Mattaponi Indians to Present Part of Local History," *Rappahannock Record*, (Kilmarnock, VA), April 16, 1981.

²⁴² Nunn, B., "Folklife Festival offers a variety of crafts," *Southside Sentinel*. April 30, 1981. See also: Staff, "Folklife Festival At RCC On May 2," *Rappahannock Record*, (Kilmarnock, VA), April 30, 1981.

²⁴³ This article misidentifies Curtis Custalow [REDACTED] as Chief. He served as Chief of the Mattaponi Tribe from 1969-1977. Daniel Webster Custalow was chief of the Mattaponi Tribe from 1977-2003.

²⁴⁴ Staff, "Chippokes site of music, art," *Smithfield Times*, (Smithfield, VA), July 8, 1981.

²⁴⁵ Staff, "Float Day Enjoyed by Members of Press," *Rappahannock Record*, (Kilmarnock, VA), April 22, 1982.

²⁴⁶ Pamphlet on the Powhatan Tribal Artisans, ca. 1984. Helen C. Rountree, Fieldnotes, 1983-1985. Helen C. Rountree Papers, National Anthropological Archives, Smithsonian Institution, National Anthropological Archives, Washington, D.C. Box 2.

²⁴⁷ Gregory Fortner Notes from School Trip, 2 December 1985. Helen C. Rountree, Fieldnotes, July 1985-March 1986. Helen C. Rountree Papers, National Anthropological Archives, Smithsonian Institution, National Anthropological Archives, Washington, D.C. Box 3.

²⁴⁸ "Publication Party for John Smith Works with Mattaponi Present," 12 April 1986. Helen C. Rountree, Fieldnotes, April 1986-December 1986. Helen C. Rountree Papers, National Anthropological Archives, Smithsonian Institution, National Anthropological Archives, Washington, D.C. Box 3.

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	<p>[...] The steep Mattaponi river bank, which is more akin to a cliff, prevents these potters from procuring the natural stuff.</p> <p>"It's too dangerous. We'd fall into the river." says Margaret "Star Eyes" Allmond.</p> <p>"We tried to dig some once at my dad's house and trees slid down the bank," says Christine "Rippling Water" Custalow [REDACTED]</p> <p>The two women, who are part of a group who live on the reservation or are members of the off-reservation Upper Mattaponi Tribe, have converted what was once the reservation schoolhouse into a pottery studio.²⁴⁹</p>
November 25, 1987	<p>Kindergarten students from Rappahannock Central Elementary School visited the Mattaponi Indian Reservation in King William last week as Chief Curtis Lee Custalow [REDACTED] [REDACTED]²⁵⁰ talked about the traditional ways of his tribe. The children learned that Indians also celebrate Thanksgiving in their own way by giving thanks for the harvest with a feast in the fall.²⁵¹</p>
November 25, 1987	<p>The children were led in a dance by Falling Star and Chief Evening Star [REDACTED] [REDACTED] played drums. Chief Evening Star also gave a demonstration of some of the weapons used by the Mattaponi Indians. Both men were dressed in traditional Indian costume.²⁵²</p>
October 6, 1988	<p>[...] Special guests were Minnie Ha-Ha Custalow [REDACTED] [REDACTED] and Chief Emeritus Curtis L. Custalow Warhorse [REDACTED] [REDACTED] of the Mattaponi Indian Reservation in King William County²⁵³. With a wealth of examples of traditional Indian craftwork on display in the Lancaster Woman's Club building, they shared much of their cultural heritage with the children. Each child then had the hands-on experience of making a traditional Indian pot out of clay.</p> <p>Minnie Ha-Ha shared the difference between legends and myths with the children in the Indian storytelling method, which is used to continue the basic heritage of the Mattaponi tribe. Her enchanting tales kept children well involved. [...] ²⁵⁴</p>
May 10, 1991	<p>The Farmville Area Home School Support Group was visited recently by representatives of the Mattaponi Indian tribe, from the nation's oldest reservation. The couple, John Black Elk [REDACTED] and his wife, Sharon Gentle Wind, presented an exciting program on Native American culture and history. Approximately 50 people attended the April meeting at the Farmville Prince Edward Community Library. The children and adults were invited to participate in a dance led by Black Elk and listened to some of the legends and stories of the tribe. Gentle Wind showed many Native American artifacts, crafts and utensils and explained how they were constructed and used. Black Elk displayed his bow, arrows and shield and explained how they were made and their use in various ceremonies. Gentle Wind performed several of the traditional dances of the tribe and</p>

²⁴⁹ "Pottery Tradition Blends with Ways of Modern Times," ca. 1987. Governor Baliles, Gerald L. 1986 - 1990. Executive Papers, Accession 33707, State Government Records Collection. Library of Virginia, Richmond, Virginia. Box 198, Folder 10. PDF.

²⁵⁰ This article misidentifies Curtis Custalow [REDACTED] as Chief. He served as Chief of the Mattaponi Indian Tribe from 1969-1977. Daniel Webster Custalow was chief of the Mattaponi Indian Tribe from 1977-2003.

²⁵¹ Staff, "Thanksgiving Lesson," *Southside Sentinel*, (Urbanna, VA), November 25, 1987. See also: Staff, "York Academy Students Visit Historical Sites, College Day," *Rappahannock Record*, (Kilmarnock, VA), November 25, 1987. See also: Staff, "York Academy students visit Jamestown, Indian reservation," *Southside Sentinel*, (Urbanna, VA), November 25, 1987. See also: Staff, "Gift to the Governor," *Southside Sentinel*, (Urbanna, VA), November 25, 1987. Staff.

²⁵² Staff, "York Academy Students Visit Historical Sites, College Day," *Rappahannock Record*, (Kilmarnock, VA), November 25, 1987.

²⁵³ This article misidentifies Curtis Custalow [REDACTED] as Chief. He served as Chief of the Mattaponi Indian Tribe from 1969-1977. Daniel Webster Custalow was chief of the Mattaponi Indian Tribe from 1977-2003.

²⁵⁴ Staff, "Pirates and Indians' Delight Children at Museum," *Rappahannock Record*, (Kilmarnock, VA), October 6, 1988.

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	explained the ceremonial occasions on which they were used. Everyone had a chance for questions and dialogue at the end of the program. [...] ²⁵⁵
November 25, 1992	<p>Shirley "Little Dove" Custalow McGowan [REDACTED] knelt before a group of Lancaster Primary School third graders last Friday. Wearing a ceremonial dress of deerskin, with black hair and olive skin, McGowan raised her right hand and proudly said hello to her audience in the language of her native ancestors.</p> <p>[...] McGowan, who lives on the reservation near West Point, travels across the state teaching students about the Mattaponi tribe, one of five remaining tribes of the Powhatan nation. To give an accurate account of the Mattaponi life before the Europeans settled in Virginia, she includes in her living history exhibitions an authentic Indian hut, tools and deerskin clothing.</p> <p>At LPS, she cooked the students lunch of fish, duck, geese and rabbit over an open flame and taught flint knapping and deerskin scraping. ²⁵⁶</p>
August 29, 1993	Mark "Falling Star" Custalow [REDACTED] [...] is a Mattaponi Indian, a reservation confirmed 1658, and a member of "Red Thunder," the "second," or backup drum for the lead drum, "Falling Water Drum." ²⁵⁷
October 28, 1993	[...] Learn about the Mattaponi Indians of Virginia with John Black Elk [REDACTED] & Sharon Gentle Wind. Dressed in authentic native American Indian clothing, they'll tell stories based on Indian folklore & drum & chant ancient sounds & rhythms. Afterwards, children may make an Indian drum to take home. Performance at 6PM, Drum making at 7PM. For members only. ²⁵⁸
November 24, 1993	<p>Chief Evening Star²⁵⁹ [REDACTED] of the Mattaponi Indian Tribe and Rick Hall of the Mary Ball Washington Museum and Library visited the preschool and kindergarten classes of Chesapeake Academy on Friday, November 19.</p> <p>[...] Chief Evening star's visit and lecture were made possible through an educational grant to the Mary Ball Washington Museum and Library from the Nettie Lokey and Charles Wiley Foundation."</p> <p>Photo caption: "Kindergarten and pre-school students at Chesapeake Academy with Chief Evening Star of the Mattaponi Indian Reservation. ²⁶⁰</p>
February 10, 1994	[...] To assist Dr. Rountree, Shirley Custalow McGowan [REDACTED] of the Mattaponi tribe will demonstrate storytelling, ceremonial dress, crafts, and crafts, and tools and implements traditionally used among her ancestors. Widely known as Little Dove, Mrs. Custalow McGowan, who lives on the King William County reservation and has served as a historical interpreter at Jamestown, has devoted much of her time to teach about the American Indian. Both she and Helen Rountree have been asked to served as consultants for a Disney animated film dramatizing the life of Pocahontas. [...] ²⁶¹
February 24, 1994	The theme for the inspiration service was "Tribute to Harmony with the Land." Chief Webster Custalow [REDACTED] and Chief Curtis Custalow

²⁵⁵ Staff, "Mattaponi Indians Present Culture," *The Farmville Herald*, (Farmville, VA), May 10, 1991.

²⁵⁶ Staff, "The Indian Life," *Rappahannock Record*, (Kilmarnock, VA), November 25, 1992.

²⁵⁷ Coleman, B., "Indians brave heat for reunion," *Suffolk News-Herald*, (Suffolk, VA), August 29, 1993.

²⁵⁸ Staff, "It's all Downtown," *Richmond Free Press*, (Richmond, VA), October 28, 1993.

²⁵⁹ This article refers to [REDACTED]. He did not hold a formal government position within the Mattaponi Indian Tribe.

²⁶⁰ Staff, "Indian and colonial life demonstrated at Academy," *Rappahannock Record*, (Kilmarnock, VA), November 24, 1993.

²⁶¹ Staff, "Specialist on Powhatan Indians to speak Wednesday at RCC," *Rappahannock Record*, (Kilmarnock, VA), February 10, 1994. See also: Staff, "Series focuses on Native Americans," *Southside Sentinel*, (Urbanna, VA), February 10, 1994.

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	<p>[REDACTED] spoke on how vital it is for us to protect and conserve our natural resources. [...] ²⁶²</p>
October 19, 1994	<p>The sharing of this rich history will include the village recreation, cooking over an open flame, demonstration of rope making and other "hands on" demonstrations from long ago.²⁶³</p>
May 18, 1995	<p>Forest Chapel United Methodist Church on Rt. 614 at Warner will hold a Native American awareness program at 4 p.m. Sunday, May 21.</p> <p>[...] The program will be given by the Custalow Brothers [REDACTED]; [REDACTED] of the Mattaponi tribe in King William County and will include background on Native Americans and gospel singing. Everyone is invited.²⁶⁴</p>
September 14, 1995	<p>Shirley "Little Dove" Custalow McGowan [REDACTED] of the Mattaponi Reservation, a well-known consultant on the Native Americans of the Powhatan nation, will lead the parade during the 22nd annual White Stone Volunteer Fire Department Country Fair this Saturday.</p> <p>[...] The daughter of Webster Little Eagle Custalow [REDACTED], chief of the Mattaponi tribe, she was born and raised on the reservation, and has traveled for 28 years sharing the Native American heritage in schools, museums and other organizations.²⁶⁵</p>
August 22, 1996	<p>Her [REDACTED] history interpretation and demonstrations of bone tooling, flint knapping, hide tanning, basket weaving and native cooking fascinate children and adults alike. ²⁶⁶</p>
November 13, 1996	<p>Fuqua School grade 4/5 students in Gretchen Chambers' class produce a Lower School newspaper as part of their curriculum and to enhance their skills with the existing technology at the School. This report on a Pocahontas descendant was written by the Fuqua Times staff:</p> <p>Shirley Little Dove Custalow McGowan [REDACTED] a direct descendant of Pocahontas, captured the imaginations of Fuqua School students during a presentation at the school. Mrs. McGowan travels frequently in Virginia and surrounding regions to educate students about the customs and history of the tribe once led by the famous Indian leader Powhatan.</p> <p>Mrs. McGowan, daughter of Chief Webster Custalow [REDACTED], the chief of the Mattaponi Indian tribe, wore a fringed dress of velvety soft deerskin. Pearls collected from the Mattaponi River, strung in the traditional Indian manner, combined with a turtle necklace to adorn Mrs. McGowan's authentic attire.</p> <p>[...]</p> <p>The fragrant aroma of venison and beef smoking over an open fire surrounded Fuqua School students intent on learning about the history of the Mattaponi Indians. Difficult as the waiting was, the students were patient as the meat was turned repeatedly.</p>

²⁶² Staff, "Local Indian chiefs address VASWCD," *Southside Sentinel*, (Urbanna, VA), February 24, 1994.

²⁶³ Staff, "Indian Village Re-Creation Coming To SVCC, Area Schools," *The Farmville Herald*, (Farmville, VA), October 19, 1994.

²⁶⁴ Staff, "Native Americans' is program topic at Forest Chapel," *Southside Sentinel*, (Urbanna, VA), May 18, 1995.

²⁶⁵ Staff, "White Stone to celebrate Saturday; Shirley Little Dove to lead parade," *Rappahannock Record*, (Kilmarnock, VA), September 14, 1995.

²⁶⁶ Staff, "Lively Day plans under way," *Rappahannock Record*, (Kilmarnock, VA), August 22, 1996.

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	<p>Meanwhile, pots, made in the traditional Indian way from Virginia clay, nestled among the coals of the fire. The pots contained corn and lima beans, the ingredients necessary to make one of the favorite dishes the Indians enjoyed, succotash.</p> <p>[...] Mrs. McGowan displayed valuable artifacts from the Mattaponi tribe on furs. Numerous tools, weapons, and jewelry were made from bones and shells. Large bones were crafted into combs and knives. Pearls were strung together to make beautiful necklaces. Soft animal skin was tanned and sewn together to make decorated purses and pouches. Deer antlers tied to stout sticks made effective hoes. Fuqua students were allowed to feel and hold axe heads and projectile points that were thousands of years old.²⁶⁷</p>
1997	<p>Virginia has a \$2 million-a-year state agency that promotes early Anglo-Virginia history for cultural, economic and educational purposes. Seats on the Jamestown-Yorktown Foundation, the focus of which is Virginia's Colonial and Revolutionary periods--eras long viewed from a largely white perspective, are prized and often reserved for a governor's closest allies.</p> <p>[...] Allen democratized the board, naming in 1997 its first Native American member, Shirley "Little Dove" Custalow McGowan [REDACTED] of the Mattaponi tribe.²⁶⁸</p>
June 18, 1998	<p>Shirley "Little [REDACTED] and Samuel "Running Deer" [REDACTED] will be at the Lancaster Community Library next Thursday, June 25, for a day of stories, history, and demonstrations as the summer reading programs begins.</p> <p>Activities will begin at 10 a.m. and continue until 3 p.m. "Little Dove" and "Running Deer" are members of the Mattaponi Tribe and are the daughter and grandson of Chief Custalow [REDACTED]. They will share the history of the Powhatan people and will provide a variety of demonstrations throughout the day.²⁶⁹</p>
July 16, 1998	<p>The Cople Parish Art and Craft Festival will be held August 8 from 9 a.m. to 3 p.m. on the grounds of the parish hall at Hague [...]</p> <p>[...] an authentic Indian village will be set up by the Mattaponi Indians.²⁷⁰</p>
May 20, 1999	<p>[...] Other entertainment includes still modeling in the window of the Village Shop; a visit by Shirley Little Dove [REDACTED] and the Mattaponi Indian Heritage Museum.²⁷¹</p>

Cultural Outreach Surrounding Disney's Pocahontas

A significant portion of the publications for this period are related to the media coverage surrounding Disney's *Pocahontas*, for which Shirley Arlene Custalow was a model, reference, and later critic. The resulting appearances and events at which Mattaponi members played central roles were highly publicized and demonstrate the breadth of Mattaponi community activities, particularly those relating to cultural education, at the time.

²⁶⁷ Staff, "Pocahontas Descendant Visits Fuqua School," *The Farmville Herald* (Farmville, VA), November 13, 1996.

²⁶⁸ Schapiro, J., "Virginia's mostly on-again romance with Great Britain," *Bristol Herald Courier* (Bristol, VA), September 19, 2022.

²⁶⁹ Staff, "Native-American day set at library," *Rappahannock Record* (Kilmarnock, VA), June 18, 1998.

²⁷⁰ Staff, "Area News," *Rappahannock Record* (Kilmarnock, VA), July 16, 1998. See Also: Staff, "Area Events," *Rappahannock Record*, (Kilmarnock, VA), July 23, 1998.

²⁷¹ Staff, "Entertainers lined up for RivahFest," *Rappahannock Record* (Kilmarnock, VA), May 20, 1999.

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Table B5-20. Community Activities, 1980-1999: Cultural Outreach Surrounding Disney's Pocahontas.

Date	Excerpt
June 2, 1994	Shirley "Little Dove" Custalow McGowan ██████████ of the Mattaponi tribe will be featured in an article in the Sunday London-Times. She is honorary chairman of the Pocahontas Celebration Committee in Gloucester and travels throughout the state as an intrepeter [<i>sic</i> ; interpreter] of her Native American culture. Last week, Photographer Walter Callahan and his assistant, Cade Martin of the D.C. area, visited to photograph Little Dove for the article. A four-generation picture with Shirley's father, Chief Webster Custalow ██████████ her son, Samue ██████████ ██████████ and granddaughter, Tracy ██████████ was taken. Chief Webster Custalow serves on the Advisory Council for the Pocahontas Celebration Committee. The celebration will be held on November 19, 1994 in Gloucester. ²⁷²
August 11, 1994	Delegate Shirley Cooper promised to make a presentation before the Council on Indian Affairs after Chief Webster Custalow ██████████ of the Mattaponi Tribe gave an emotional speech on Pocahontas. Cooper agreed with Custalow's request to support fundraising for the statue. He said, "Washington is known as the father of our country and I believe Pocahontas should be known as our mother of America. I think it's a great, great honor for Gloucester County to do this." Custalow accompanied his son-in-law, Adolf Sehring and daughter, Debbie ██████████ ██████████ and Virginia Commonwealth University's director of communications, Tom Donohue. Donohue is working on a Pocahontas documentary for PBS. Also, traveling with the Sehrings was Custalow's daughter, Shirley "Little Dove" McGowan ██████████ ██████████ honorary chairman of the celebration and model for the Walt Disney film, Pocahontas. Mrs. McGowan will be leaving on Monday, Aug. 15, to spend a week in Los Angeles, California at the Disney headquarters to provide technical assistance for the studio. ²⁷³
October 19, 1994	An animated Walt Disney film about Pocahontas will feature a recreation of Custalow McGowan's ██████████ face which was used as the model for the animated Powhatan Indian princess scheduled to be released soon. The Disney officials made four visits to Virginia in June of 1992 for the annual Virginia Indian Heritage Festival where they met with Little Dove and observed the presentations she gave. ²⁷⁴
1999 ca.	Disney enlisted the aid of Mattaponi tribal elder and Powhatan nation storyteller Shirley Custalow McGowan ██████████ (Little Dove) for the 1995 Pocahontas (Ward 2002, 37). She later repudiated the film, and this may have led Disney to demand that future consultants sign a more restrictive legally binding non-disclosure agreement (NDA) than hitherto required. ²⁷⁵

Intertribal Events

The Mattaponi Indian Tribe regularly joined other tribes at events such as the Chickahominy (June 20, 1984) and Nansemond (September 8, 1989) Fall Festivals, and several powwows (e.g., August 29, 1993). The Tribe's political and legal protest against the proposed Newport News Reservoir garnered support from Indian entities across the country (1998).

²⁷² Staff, "Shirley "Little Dove" Custalow McGowan," *Glo-Quips*, (Gloucester, VA), June 2, 1994.

²⁷³ Staff, "Sehring unveils model of Pocahontas," *Glo-Quips*, (Gloucester, VA), August 11, 1994.

²⁷⁴ Staff, "Indian Village Re-Creation Coming To SVCC, Area Schools," *The Farmville Herald*, (Farmville, VA), October 19, 1994.

²⁷⁵ Pérez, E., (2021), "'I Got Voodoo, I Got Hoodoo': Ethnography and Its Objects in Disney's the Princess and the Frog," *Material Religion* 17(1): 56-80.

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Table B5-21. Community Activities, 1980-1999: Intertribal Events.

Date	Excerpt
July 8, 1981	[...] Opening ceremonies for the two-day event will feature Chief Curtis Custalow [REDACTED] of the Mattaponi Indian tribe. The chief will open the ceremonies at the River Road stage with a prayer and the traditional peace pipe ceremony. The Mattaponi as well as the Pamunkey Indians will be at the festival with craft displays. [...] ²⁷⁶
June 20, 1984	Each fall the Pamunkey and Mattaponi join with the Chickahominy for Fall Festival at the Chickahominy Tribal Center, intersection of routes 602 and 630, Charles City County, a 30-minute drive from Colonial Williamsburg. ²⁷⁷
1985 ca.	[Advertisement in Chickahominy Fall Festival Brochure] River of High Banks Pottery & Indian Crafts Mattaponi Indian Reservation Rt. 1, Box 654 West Point, Va. 23181 ²⁷⁸ [...]
September 11, 1988	[...] Saturday's symbolic replacement of the corn was only one of the many activities designed to celebrate the history of the Nansemond Indians and other Virginia Indians history. Besides the Nansemonds, representatives of the Pamunkey, Mattaponi and Upper Mattaponi tribes of King William County, the Eastern Chickahominy tribe of New Kent County, the Chickahominy Tribe of Charles City County, the United Rappahannock Indians of King and Queen County and the Monacan Tribe of Amherst County were on hand to perform Indian dances, exhibit arts and crafts and participate in the re-enactment. ²⁷⁹
September 8, 1989	This Saturday, September 9, the Nansemond Indians will host their Fall Festival on the grounds of their ancestral grounds on the west bank of the Nansemond River [...] Highlights of Fall Festival Activities: <ul style="list-style-type: none"> • A grand entrance of eight tribal chiefs • Invocation, pledge of allegiance, and reading of a Nansemond Indian tribal poem • Chief Curtis Custalow [REDACTED] of the Mattaponis will hold a Peace Pipe ceremony.²⁸⁰
August 12, 1993	[...] Rappahannock, Mattaponi and Upper Mattaponi tribe members will attend. The United Indians of Virginia will provide information displays representing the Chickahominy, Monacan, Nansemond, Pamunkey, Rappahannock, East Chickahominy and Upper Mattaponi tribes. "We are pleased that the American Indian Society will be here this year representing the Onadaga's [<i>sic</i> ; Onondaga's] and several other tribes," said event coordinator Judy Fortune. Shirley Little Dove Custalow McGowan [REDACTED] of the Mattaponi will provide historical interpretation, educational tools, and demonstrations for park visitors. [...] ²⁸¹
August 29, 1993	[...] Mark "Falling Star" Custalow [REDACTED] came to the powwow from King William County. He is a Mattaponi Indian, a reservation confirmed 1658, and a member of "Red Thunder," the "second," or backup drum for the lead drum. "Falling Water Drum."

²⁷⁶ Staff, "Chippokes site of music, art," *Smithfield Times*, (Smithfield, VA), July 8, 1981.

²⁷⁷ Staff, "Indian 'trail' fun to follow," *Smithfield Times*, (Smithfield, VA), June 20, 1984.

²⁷⁸ Advertisement in Chickahominy Fall Festival Brochure, ca. 1984. Helen C. Rountree, Fieldnotes, July 1985-March 1986. Helen C. Rountree Papers, National Anthropological Archives, Smithsonian Institution, National Anthropological Archives, Washington, D.C. Box 3.

²⁷⁹ Ownley, B., "Thousands attend ceremony of Indian tribes return," *Suffolk News-Herald*, (Suffolk, VA), September 11, 1988.

²⁸⁰ Coleman, B., "Indians," *Suffolk News-Herald*, (Suffolk, VA), September 8, 1989.

²⁸¹ Staff, "Indian Day at Birthplace is Sunday," *Rappahannock Record*, (Kilmarnock, VA), August 12, 1993.

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	<p>"This is our third year at the powwow and we love the fellowship the Nansemond's offer here," said Falling Star. "We always enjoy it here near the river and many people are really finding out about these powwows and they've been very supportive."²⁸²[...]</p>
1998	<p>A call went out over the internet and by word of mouth asking for all who could attend a Newport News, Virginia city council meeting to do so. NACF Tieme and I lived close enough, so we decided to answer the call and attend the meeting to show support for the Mattaponi people who have been attempting to block a vote which would allow the flooding of a portion of their ancestral lands.</p> <p>In two and threes, sometimes a one at a time, Indians in full regalia and street clothes arrived at the Newport News City Hall swelling the numbers in support of the Mattaponi to more than 75 people.</p> <p>[...] Before the council meeting actually began at 7:30 pm EST, those assembled shared in a drum ceremony beginning shortly after 6:00 pm EST. Members of the Mattaponi, TsaLaGi, Seneca, Chippewa, Blackfoot and Rappahannock Nations were gathered in an impressive show of unity behind the Mattaponi cause. Even whites came out in support and all there listened to the singing and prayers spoken and sung to the Creator of All. Lonnie Custalow [REDACTED], nephew of Mattaponi chief Webster "Little Eagle" Custalow [REDACTED] offered words in the Mattaponi language and Chief Little Eagle's eldest grandson, Donald "Bright Path" Kuhns [REDACTED] spoke in the language of the invaders, that all might understand. Duane Baldwin Lakota, in the language of his Nation, sang a drum song while he, Lonnie Custalow, Bright Path and Graylocks (Western Abenaki) drummed.</p> <p>When we all gathered in the Council's chambers, the seats were filled and some people stood to listen to those who would speak on behalf of the Mattaponi people and their River.²⁸³</p>
September 9, 1990	<p>[...] The women of the Nansemonds, Pamunkey, Mattaponi, Upper Mattaponi, Chickahominy, Eastern Chickahominy, United Rappahannock, and Monacan tribes were dressed in softly tanned buckskin tunics. Many wore the customary Indian squash blossom necklaces of pure silver and turquoise along with bracelets and rings of the same precious metal and stone.</p> <p>[...] The smoking of the peace pipe was a favorite attraction again this year. [...] and Chief Curtis "War Horse" Custalow [REDACTED] of the Mattaponi, in smoking the peace pipe to thank God for their blessings. [...]²⁸⁴</p>

Annual Tax Tribute

Every year the Mattaponi and Pamunkey tribes present an annual tribute to the Governor of Virginia in lieu of taxes (e.g., November 20, 1981; November 24, 1999). The annual tax tribute affirms the tribe's government-to-government relationship with the Commonwealth of Virginia and provides a lasting community tradition. In addition to the tribute ceremony at the Governor's Mansion, Commonwealth officials observed Thanksgiving on the Mattaponi Indian Reservation (November 27, 1987).

Table B5-22. Community Activities, 1980-1999: Annual Tax Tribute.

Date	Excerpt
November 20, 1980	<p>Gov. John Dalton, right, gets a laugh out of Chief Little Eagle, left, also known as Webster Custalow [REDACTED] as the Mattaponi Indians paid their</p>

²⁸² Coleman, B., "Indians brave heat for reunion," *Suffolk News-Herald*, (Suffolk, VA), August 29, 1993.

²⁸³ Staff, "Mattaponi Continue to Oppose Reservoir," *On Indian Land*, (Seattle, WA), Winter, 1998/1999.

²⁸⁴ Coleman, B., "Nansemond Indians return," *Suffolk News-Herald*, (Suffolk, VA), September 9, 1990.

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	annual taxes-one large turkey and eight fish. This is the 322nd year the tribe has made its tax "offering" to Virginia in return for its reservation in King William County. ²⁸⁵
November 20, 1981	The Mattaponi Indians' turkey hunt didn't pan out this year, so Gov. John Dalton received a 10-point buck instead when the Indians came to pay their symbolic property taxes Thursday. Tribal chief "Little Eagle" Webster Custalow [REDACTED] 69, led the party of seven costumed Mattaponi to the capitol steps, where they plopped the deer on the pavement and danced for television and newspaper photographers. [...] The Indians also brought an earthenware pot filled with pecans and a pottery drinking vessel for Mrs. Dalton. ²⁸⁶
June 20, 1984	Generations of Mattaponi and Pamunkey tribal chiefs have also paid a traditional Thanksgiving tribute to the Virginia governor at the state capital, in lieu of taxes. For this purpose, a day of hunting is set aside, and whatever is caught- usually venison, turkey or duck- is rendered by the Pamunkey and Mattaponi chief [REDACTED]. ²⁸⁷
December 5, 1984	The Mattaponi paid their quitrent of three arrows along with the tribute this year! Don't I remember that quitrent became obsolete in 1776 or so? The Governor was no end surprised. ²⁸⁸
November 27, 1987	Gov. Gerald Baliles' somber business suit and mode of transportation, a helicopter, were right out of the 20th century, but the Thanksgiving Day feast he shared with Virginia's Indian leaders hearkened to another era. [...] He was accompanied by state Secretary of Human Resources Eva Teig and Hopewell Del. C. Hardaway Marks, chairman of the Virginia Council on Indians. They arrived by helicopter after earlier stops at the Mattaponi and Pamunkey reservations. ²⁸⁹
December 5, 1989	The story of the taking of the wild turkey would remain untold on this cold December day as chiefs of the Mattaponi and Pamunkey Indian tribes gathered to present their annual tribute of wild game to the white chief, Gov. Gerald Baliles. [...] Dozens of tribe members dressed in colorful Indian garb joined Chief Webster Custalow [REDACTED] of the Mattaponi Tribe and Chief William Miles of the Pamunkey Tribe in delivering the turkeys to Baliles. ²⁹⁰
November 24, 1999	Today, the day before Thanksgiving, representatives of Virginia's eight indigenous Indian tribes will gather on the front steps of Virginia's Capitol. The event is not a demonstration, but a continuation of a tradition begun by members of the Mattaponi tribe in 1646. [...] Although representatives of most Virginia tribes participate in the event, the treaty that set the tradition in motion was made first with the Mattaponi, and later in 1677 with the Pamunkey Indians. They are the only two Virginia tribes that still live on reservations. ²⁹¹

²⁸⁵ Staff, "Thanksgiving Offerings," *Newport News Daily Press*, (Newport News, VA), November 20, 1980. See also: "Taxes Paid in Fish And Fowl," *Suffolk News-Herald*, (Suffolk, VA), November 20, 1980.

²⁸⁶ Staff, "Indians Present 'Taxes'," *Newport News Daily Press*, (Newport News, VA), November 20, 1981.

²⁸⁷ Staff, "Indian 'trail' fun to follow," *Smithfield Times*, (Smithfield, Va), June 20, 1984.

²⁸⁸ Letter from H. Rountree to C. Feest, 5 December 1984. Rountree, Helen C. Correspondence, 1982-1984 (1). Helen C. Rountree Papers, National Anthropological Archives, Smithsonian Institution, National Anthropological Archives, Washington, D.C. Box 1.

²⁸⁹ Staff, "Virginia News," *Suffolk News Herald*, (Suffolk, VA), November 27, 1987.

²⁹⁰ Staff, "Indians pay annual tax tribute in wild turkeys," *Suffolk News-Herald* (Suffolk, VA), December 5, 1989.

²⁹¹ Jenkins, M. R., "Indians head to Capitol for Thanksgiving tribute," *Suffolk News-Herald*, (Suffolk, VA), November 24, 1999.

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Conclusion

The community activities described above demonstrate the continued existence of “social relationships connecting individual members” (83.11 (b)(1)(ii) and “patterns of informal social interaction” (83.11 (b)(1)(iii)). Such relationships and interactions were evident in the annual recurrence of the Annual Homecoming, internal social events, intertribal fall festivals, and the cooperation required to stage the powwow, public ceremonies, and educational events requiring multiple performers to represent the community. The coordination of subsistence strategies provide evidence of “shared or cooperative labor” among Mattaponi Indian Reservation residents (83.11 (b)(1) (iv)), and the traditions of Homecoming and the annual tax tribute represent “shared sacred or secular ritual activity” (83.11 (b)(1)(vi)). As in previous decades, the persistence of reservation lifeways, tribal efforts to educate the general public about Mattaponi traditions, and the Tribe’s government-to-government relationship with the Commonwealth of Virginia as demonstrated by the annual tax tribute exemplify the “persistence of a collective identity” (83.11 (b)(1)(viii)).

Distinction and Discrimination

Throughout this time period, the Mattaponi Indian Tribe continued to be distinguished as a separate group with a distinct identity by both members of the Tribe and nonmembers in the larger region. Oral histories recount experiences of discrimination, particularly in educational settings.

Table B5-23. Distinction and Discrimination, 1980-1999 in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	1980's ca.	We weren't welcome, my grandparents [REDACTED] generation and in some cases my mother's [REDACTED] generation early on, weren't welcomed into grocery stores or outside of the reservation" [...] "So, she [REDACTED] knew that she wanted to travel in the schools and hit the children early on so that way they had a better understanding of who we were, not based off of Hollywood or some romantic novel. Or that we were like the boogeyman. Yeah. So, it's funny. I watched a clip from back in the early [19]80s of Grandpop [REDACTED]. He was Channel 13 way back in I think [19]82—anyway, and it's funny. [Laughter] He said the same thing, sort of. Well, the kids were scared to get off the school bus thinking they were going to get scalped. They automatically assumed based off of Hollywood. ²⁹² [...]
[REDACTED]	1984 ca.	To me, key is you have to be proud of your heritage, your heritage. You want to continue your heritage on, your culture, you want to pass it on to your children. Experiences have been good, have been bad, I've had great experiences. Like, I guess the old saying is, it's lucky that some of the elders did what they did. At one time it wasn't hip to be Indian, but they still stayed fast to who they were when it wasn't. And that's why we have what we have today. And you have to do that. You can't walk away from it. And there were people that did walk away. We also have members that went to Philadelphia and said that they were Italian and things of that nature. So, people ran away from it, too. Not everybody stayed and was a part of it. And like I said, when I moved down here, me and [REDACTED], we were in West Point and we got jumped by a police officer and two of his buddies just because of who we were. And nothing ever came of it because we, my father [REDACTED] and his father [REDACTED] you know, went to the

²⁹² [REDACTED], "Interview: [REDACTED]," By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, September 12, 2023. PDF Pages 3, 12.

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Interviewee	Date	Excerpt
		<p>police and everything else and they said we provoked it. And I was like, I was just walking to my car and next thing you know I get hit upside the head, so.²⁹³</p>
	1985 ca.	<p>Yeah, growing up in school was hard. It was not something you talked about. Because no one cared. I had a teacher—I get a little sentimental—in fourth grade called me a half-breed, and some others. Well, the chief now, [REDACTED] I remember his history teacher telling the class that we were savages. And then his daddy [REDACTED] went up to the school. But yeah, it was hard. I wasn't as proud as I am now. Because it wasn't taken as a proud thing to everybody else, non-Natives.²⁹⁴</p>
	1986 ca.	<p>[...] It was a lot of hatred towards our people. And anger, because being on a reservation, we didn't have to pay taxes on our property or personal property. We were allowed to fish. And then especially when they started making all these different regulations where everyone else could only have two rockfish, say, per day that was a certain length. Here we can go out in a net and catch hundreds of fish, but that's how we support our family. We're not doing this for recreation or at the level that these big commercial companies are doing. Our people have been living this way for a very long time. [...]</p> <p>My grandfather [REDACTED] he was plowin' the field right here. [...] I'll get off and I'd walk behind him while he was making his rows. And anyway, I never forget—he was coming back and I was stopped. I found something and it was beautiful. Come to find out when my mom [REDACTED] took me to the Virginia Historical Society and they said it was a LeCroy point dating back thousands of years just to show you how long our people's occupied this same exact piece of land we're sitting on right now.²⁹⁵[...]</p>
	1990 ca.	<p>[...] My first experience, and it being directly related to being Mattaponi, was going to West Point schools. And we had a journal, and this is in the third grade where you would draw a picture at the top and at the bottom it had those handwriting lines where you would write a couple sentences. So, we'd come into school on a Monday, and we would write about our weekend. The teacher would give writing prompts. And some of those prompts, I made pictures and wrote some of my sentences about pottery-making. I wrote it about our powwows. I remember doing one specifically about a rabbit dance. And sitting at my desk, an administrator came in and took my teacher to the back of the classroom, and had some whispering. [...] And the teacher, that is not my teacher—but the administrator came to me, picked me up by my arm, just one arm—remember I'm in third grade. And told me to get my backpack, I went to go get it. She opened it up, turned it upside down, and dumped everything out. Told me to take everything out that did not belong to me. As far as I understood everything in that backpack belonged to me, but she meant like the school books and things like that. So, anything that was meant for the school stayed there and then I went to my cubby box where we keep</p>

²⁹³ [REDACTED], "Interview: [REDACTED]," By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, July 26, 2023. PDF Page 12.

²⁹⁴ [REDACTED], "Interview: [REDACTED]," By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, July 12, 2023. PDF Page 7.

²⁹⁵ [REDACTED], "Interview: [REDACTED]," By [REDACTED] and [REDACTED] Mattaponi Indian Tribe, September 12, 2023. PDF Page 13, 9-10.

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Interviewee	Date	Excerpt
		our lunch boxes and things. That got emptied out. I just did as told, I got walked to the front of the school by my arm, walked out of the school. I was never spoken to again, and I should have said something or did something, but I was a very quiet, very shy, timid child and knew like, okay, you shouldn't get in the car with strangers. But the woman didn't speak to me. She took me out of the school, put me in her van and dropped me off at my mother's and said I was not to return. This is a Mattaponi child and I was not supposed to be at the school because of my journal. ²⁹⁶
	1996 ca.	So being here on the reservation amongst everyone, you didn't know any different. But when we left and when I went to West Point school, that's when you knew cause the kids would let you know that you were different than them. I guess as a young kid being the only Native American in the school in a predominately white school with very little minorities. In being that it is close enough to the reservation, 12 miles or so out, people know who you were, where you come from. I would say yeah, throughout all school being teased and picked on in some way. Some back comment about you know, being Indian or a teepee. I know the [loudly] AH-HA-AH in the hallways, you know someone will make that noise and people think it's funny and they don't know any better. ²⁹⁷

News media and scholars from this period repeatedly show patterns of identifying the Mattaponi as an entity distinct from the local non-Indian population (April 16, 1981) as well as other tribes in the region. Of particular note is a state recognition bill from the Commonwealth of Virginia that affirmed the Mattaponi Indian Tribe's longstanding recognition and extended recognition to several non-reserved Virginia Tribes (December 16, 1982). Other documented instances of community distinction include journalists efforts to inquire as to the Mattaponi Chief's response to political statements and potential threats to reservation trust lands generally (January 31, 1983) and ethnographic observations of the distinct culture of the Mattaponi Indian Tribe (Gleach 1997).

Table B5-24. Distinction and Discrimination, 1980-1999 in Other Sources.

Date	Excerpt
April 16, 1981	A sixth generation Mattaponi, Chief Thundercloud [REDACTED], is the son of the late Chief Hos-Ki-No-Wa-Na-Ah [REDACTED]. His is the last tribal remnant of the thirty-two original tribes which once were ruled by the great Powhatan, chief of the "Pocahontas and Captain John Smith" legend. The reservation, which now consists of 125 acres in West Point, was confirmed in 1658 by the Grand Assembly. The tribe has maintained its identity through its observance of tradition and its own tribal laws. ²⁹⁸
December 16, 1982	Members of six Virginia Indian tribes stand to gain more federal benefits if the 1983 General Assembly grants the tribes formal state recognition. "Formal recognition is needed if Virginia's Indian population is to secure its share of federal governmental programs and support," a report approved Wednesday by a joint legislative subcommittee said.

²⁹⁶ [REDACTED] "Interview: [REDACTED]," By [REDACTED], Mattaponi Indian Tribe, August 22, 2023. PDF Page 12.

²⁹⁷ [REDACTED] "Interview: [REDACTED] Part One," By [REDACTED], Mattaponi Indian Tribe, December 15, 2022. PDF Page 10.

²⁹⁸ Staff, "Mattaponi Indians to Present Part of Local History," *Rappahannock Record*, (Kilmarnock, VA), April 16, 1981.

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Date	Excerpt
	<p>The six tribes are the Chickahominy, the Eastern Chickahominy, the Mattaponi, the Upper Mattaponi, the Rappahannock, and the Pamunkey.</p> <p>They represent virtually the only organized remnants of dozens of Indian tribes that lived in Virginia at the time the first permanent white settlers arrived on these shores in 1607.</p> <p>Since lost in the mists of history have been such Virginia tribes as the Saponi, the Tutelo, the Occoneechi [<i>sic</i>; Occaneechi] and the Monacans.</p> <p>Some two-thirds of Virginia's modern-day Indians have become submerged in urban cultures while retaining only loose tribal ties. Only the Pamunkey and Mattaponi still maintain Indian reservations.²⁹⁹</p>
January 31, 1983	<p>The loss of a reservation for an Indian tribe would be like the loss of the United States for Americans in general, Curtis L. Custalow [REDACTED] said.</p> <p>"It would take away your tribal identity. It would take away your government. It would take away your heritage."</p> <p>Custalow lives on the Mattaponi Reservation in King William County. It and the nearby home of the Pamunkey Indians are the oldest reservations in the country. As were many other Indians across the country, Custalow was disturbed when Interior Secretary James Watt characterized reservations as "failures of socialism". The comments were "very, very derogative as far as the Indian people are concerned," Custalow said.</p> <p>Watt said he wanted to "get Washington off their backs," but many Indian leaders saw a different motive. They suggested that his anti-reservation remarks may be part of an effort to pry Indian lands away from tribal control.</p> <p>[...] He recalled that a reporter once asked him why his tribe has chosen to remain on the reservation.</p> <p>"She must not have thought before she asked that question," he said. "We didn't ask to have to live by treaties."³⁰⁰</p>
February 1985	<p>Both tribes date to Atlantic-coast English colonial settlements utilizing the Algonquin language that was prevalent among the numerous tribes from New England to the South.</p> <p>[...] Each tribe is under a chief. More accessible to the public are the Mattaponi people under Webster "Little Eagle" Custalowe [REDACTED] who recently told this reporter that his people are as united as ever.³⁰¹</p>
1986	<p>[...] The Mattaponi and Pamunkey tribes have retained their reservations since the seventeenth century. As reserved tribes they had a claim to continuous state recognition but were included in the 1983 act to avoid any confusion.³⁰² [...]</p>
August 29, 1988	<p>[...] The seven tribes -- Chickahominy, Eastern-Chickahominy, Mattaponi, Upper Mattaponi, Monacan, Pamunkey and Rappahannock -- were part of the great Powhatan Confederacy dating from 1600 A.D. The confederacy consisted of approximately 32 tribes and 10,000 people under the leadership of Chief Powhatan, whose daughter was Pocahontas. The Powhatan territory stretched along the entire coastal plain of Virginia from the North Carolina border to Washington D.C.</p>

²⁹⁹ Staff, "Tribes Could Gain Added Federal Aid," *Newport News Daily Press*, (Newport News, VA), December 16, 1982.

³⁰⁰ Staff, "Watt's Statements Disturb Virginia Indian Leaders," *Newport News Daily Press*, (Newport News, VA), January 31, 1983.

³⁰¹ Staff, "A look at the Pamunkey and Mattaponi," *The Indian Trader*, (La Mesa, CA), February, 1985.

³⁰² Report of the Council on Virginia Indians, 1986-1987. Governor Baliles, Gerald L. 1986 - 1990. Executive Papers, Accession 33702, State Government Records Collection. Library of Virginia, Richmond, Virginia. Box 125, Folder 8.

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Date	Excerpt
	[...] "Two of the tribes have had the same reservations since the 1600s," he said. "The Pamunkey and Mattaponi are two of the oldest reservations in the country." ³⁰³
November 25, 1992	Wearing a ceremonial dress of deerskin, with black hair and olive skin, [...] McGowan ██████████ is a descendent the Powhatan Indians and is a member of the Mattaponi Indian Tribe in King William County. The Mattaponi Indian reservation dates back to 1658 and stretches along the border of the Mattaponi River on over 125 acres. There are only about 75 Indians remaining at the reservation. [...] one of five remaining tribes of the Powhatan nation. ³⁰⁴
Gleach 1997	Despite the decline in public recognition of the Powhatans, they continued - and do now continue - to exist. Rountree (1990) has documented their histories to the present-day, but any perceptive visitor to the Pamunkey and Mattaponi reservations in Virginia today can recognize a difference between their attitudes towards their history and towards their cultural and natural setting and the attitudes of their non-Indian neighbors. [...] Even now, none of the Powhatan tribes are federally recognized, and until relatively recently only the two reservation-based tribes, the Pamunkeys and the Mattaponis, were recognized by the Commonwealth of Virginia. ³⁰⁵
January 9, 1997	[...] Opposition to the [reservoir] project has come from the Mattaponi and Pamunkey Indians, two of the oldest tribes in the nation, and a number of environmental groups. The Indians have lived in relative isolation on separate King William County reservations since signing peace treaties with the British Crown in the 17th century. ³⁰⁶
1998	Over 100 archaeological sites important to the Mattaponi and Pamunkey Tribes, including villages, camping sites and burial grounds, will be destroyed. ³⁰⁷
September 1998	Catherine Ferrier hoped to give the Mattaponi Indians the gift of peace: a carved, wooden, 30-foot "spirit pole" that would bless and protect the eastern Virginia tribe. [...] Ms. Ferrier, who is not Native American, said the idea for a pole that would bring peace to the tribe came to her in recurring dreams. She commissioned artist Alfred Danet last summer to carve the pole in time for the tribe's annual June powwow on its reservation in West Point. ³⁰⁸
September 1998	Virginia is preparing to replace historical markers that have stood along the state's roadways to delete references to Indians as "savages," "heathens," and "half-breeds." "They called us this, that and all the other stuff. I think it's time the real truths about our people are known. It's time to remember that the history books were written by our foes, our opposition," said Carl Custalow ██████████ assistant chief of Virginia's Mattaponi tribe. "I am glad to see that the state is finally recognizing that something needs to be done and I applaud them," he said. ³⁰⁹

³⁰³ Gilley, L., "Return of Land to Indians Bringing Dream to Life," *Suffolk News-Herald*, (Suffolk, VA), August 29, 1988.

³⁰⁴ Staff, "The Indian Life," *Rappahannock Record*, (Kilmarnock, VA), November 25, 1992.

³⁰⁵ Gleach, Frederic W., *Powhatan's World and Colonial Virginia: A Conflict of Cultures*, (Lincoln, Nebraska: The University of Nebraska Press, 1997), 204-205. PDF Page 109.

³⁰⁶ Chowning, L. S., "Proposed King William reservoir to serve Newport News is drenched with opposition," *Southside Sentinel*, (Urbanna, VA), January 9, 1997.

³⁰⁷ Shaiman, M., "Mattaponi Shad Fishery Threatened," *On Indian Land*, (Seattle, WA), 1998.

³⁰⁸ Staff, "Tribe rejects offer of 'Spirit Pole' from woman," *The Indian Trader*, (La Mesa, CA), September, 1998.

³⁰⁹ Staff, "Virginia agrees to tone down state historical markers," *The Indian Trader*, (La Mesa, CA), September 1998.

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Date	Excerpt
March 18, 1999	<p>[...] That battle [for federal recognition] is one of the biggest facing the state's tribes, participants at last weekend's fifth annual Governor's Conference on Indian Affairs said.</p> <p>It would also empower nonindigenous outsiders to run the casino, since only a handful of people live on the reservations, one tribe leader said.</p> <p>[...] "What we'd be doing is letting someone else come in and capitalize on us again, just like in the 1600s," said Carl "Lone Eagle" Custalow [REDACTED], assistant chief of the Mattaponi tribe. [...] ³¹⁰</p>
November 11, 1999	<p>American Indians say the founding of Jamestown is nothing to celebrate.</p> <p>Representatives of seven of Virginia's eight recognized Indian tribes voiced their concerns last Saturday to the state agency planning the observations for the settlement's 400th anniversary.</p> <p>[...] Those efforts led to the formal recognition by the state government in the 1980s of eight Virginia tribes. Before that, only the Mattaponi and Pamunkey tribes had official Recognition.³¹¹</p>
November 24, 1999	<p>The Pamunkey and the neighboring Mattaponi Indians are the only Indian tribes in the state with reservation lands. [...] ³¹²</p>

Conclusion

The evidence above demonstrates that the Mattaponi Indian Tribe was distinguished from surrounding communities, showing “strong patterns of discrimination and other patterns of distinction by non-members” (83.11 (b)(1)(v)). This included the targeting of members of the Tribe with discrimination, as recounted in oral histories. That members of the Mattaponi Indian Tribe considered themselves a distinct social and political entity is also evident, as they represented tribal interests to journalists and cultural institutions throughout the period. These actions demonstrate the continued existence of a “collective identity” (83.11 (b)(1)(viii)). Finally, outsiders directly observed the community maintaining a geographic core on the Mattaponi Indian Reservation and “distinct cultural patterns” (83.11 (b)(2)(iii)) among the Mattaponi between 1980 and 1999.

Evidentiary Applicability

Based on the evidence presented above, the Mattaponi Indian Tribe fulfills the requirements of Criterion 83.11 (b)(1) throughout the period from 1980 to 1999.

³¹⁰ Staff, “VA Indians still fighting for U.S respect,” *Richmond Free Press*, (Richmond, VA), March 18, 1999.

³¹¹ Staff, “American Indians say ‘No,’” *Richmond Free Press*, (Richmond, VA), November 11, 1999.

³¹² Staff, “Ageless chief celebrates his 100th birthday,” *Navajo Times*, (Window Rock, AZ), November 24, 1999.

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6. Criterion (b): 2000 to 2019

Introduction

Between 2000 and 2019, evidence demonstrates that the Mattaponi Indian Tribe comprised a distinct community “with consistent interactions and significant social relationships within its membership” over time in fulfillment of 25 CFR 83.11 (b). “Social relationships connecting individual members” (83.11 (b)(1)(ii)) and “patterns informal social interaction” (83.11 (b)(1)(iii)) are created and maintained within institutions such as the Mattaponi Indian Baptist Church and through events such as annual Homecoming services and the Tribe’s annual powwow. The Mattaponi Indian Tribe exhibited “cooperative labor or other economic activity among members” during this period (83.11 (b)(1)(iv)), including operations at the Mattaponi hatchery and community-wide efforts to protect its natural resources and livelihood from environmental damage. “Strong patterns of discrimination or other social distinctions by non-members” (83.11 (b)(1)(v)) are evident in the writings of journalists who distinguished the Mattaponi Indian Tribe and the Mattaponi Indian Reservation from surrounding communities. The tribal community engaged in “shared...ritual activity” (83.11 (b)(1)(vi)) through the Mattaponi Indian Baptist Church, which is one of several “cultural patterns shared among a portion of the entity that are different from those of the non-Indian populations with whom it interacts” (83.11 (b)(1)(vii)). The Tribe’s significant, collaborative efforts to preserve and share their culture and history confirm the “persistence of a collective identity” (83.11 (b)(1)(viii)), and the geographic clustering of these activities along with tribal family residences on the Mattaponi Indian Reservation demonstrate the sites continued occupation and use (83.11 (b)(1)(ix)). This period also provides evidence relevant to Criterion 83.11 (b)(2), including significant numbers of tribal members who resided on the Mattaponi Indian Reservation (83.11 (b)(2)(i)), maintained distinct cultural patterns (83.11(b)(2)(iii)), and retained distinct social and cultural institutions (83.11(b)(2)(iii)).

Generational Snapshot

In the period from 2000 to 2019, the Mattaponi Indian Tribe was made up of ~486 known community members. These included the direct descendants of the individuals recorded as the Historical Indian Tribe in Section II: Historical Mattaponi Indian Tribe. The core community consisted of those individuals who continued to live on the Mattaponi Indian Reservation. The number of reservation residents was approximately 60 at the beginning of this time period, growing to 75 by 2019.¹ The reservation population was occasionally misrepresented as total tribal membership in this time frame,² but other sources indicate that the total Mattaponi membership between 2000 and 2019 was closer to 450.³ Family groupings at this time included but were not limited to the following surnames: *Allmond, Custalow, Langston, Collins, and Major*.

¹ References to the reservation population during this period include but are not limited to: Hardin, P., “Seeking Sovereignty, Indians Face Barriers,” *Suffolk News-Herald* (Suffolk, VA), March 6, 2000; Staff, “Field Notes,” *Suffolk News-Herald* (Suffolk, VA), May 25, 2001; Staff, “Tribe’s Chance to Convalesce,” *Newport News Daily Press* (Newport News, VA), August 29, 2019.

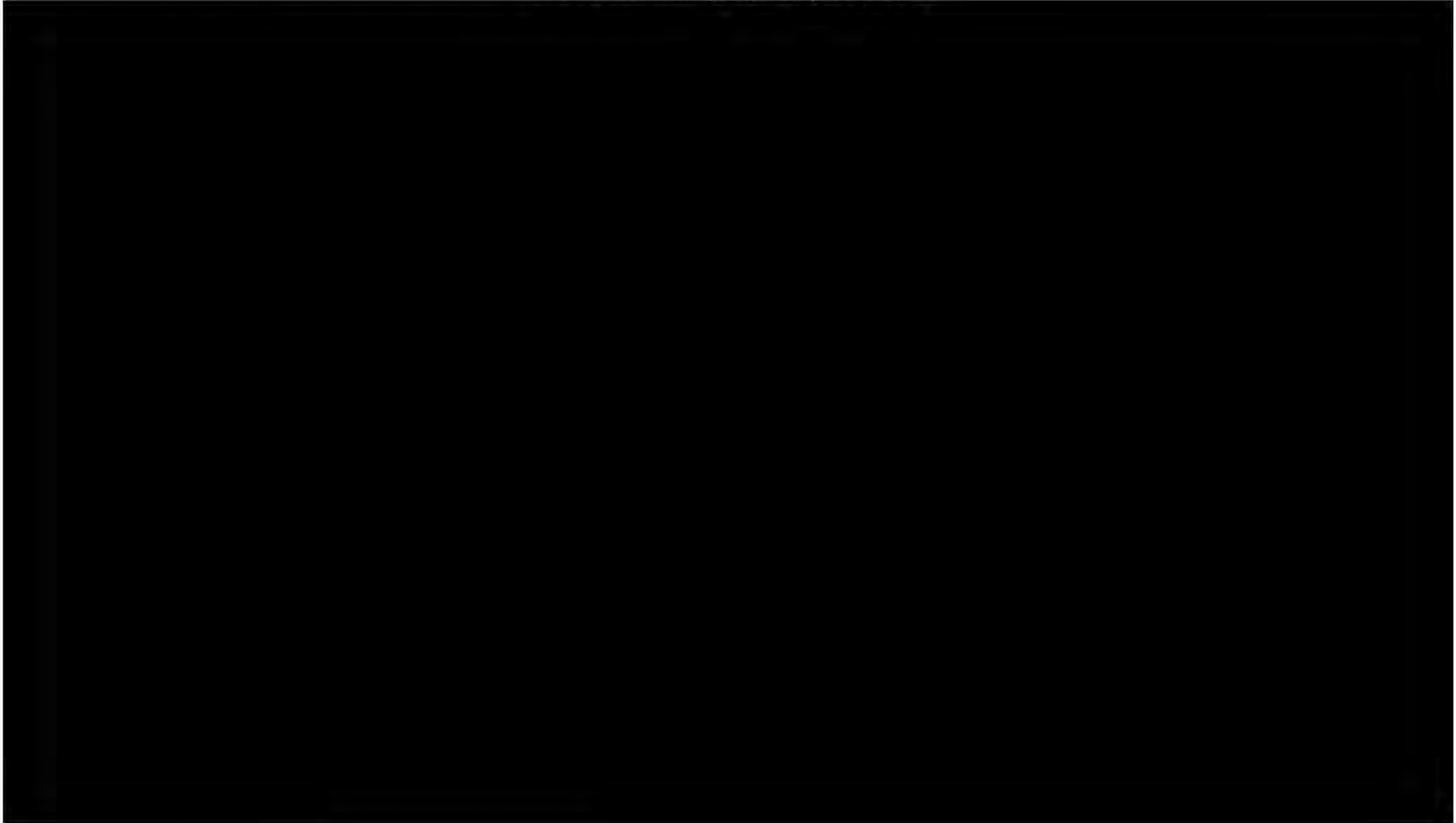
² Latane III, L., “Indian Chief Remembered,” *Glo-Quips* (Gloucester, VA), April 1, 2003.

³ See: Shaiman, M., “Mattaponi Fishery Still Not Protected,” *On Indian Land*, (Seattle, WA), 2000; Staff, “Tribe’s Chance to Convalesce,” *Newport News Daily Press* (Newport News, VA), August 29, 2019.

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B6-1. Generational Snapshot, 2000-2019: Known Community Individuals⁴

Known Community Members, 2000 - 2019

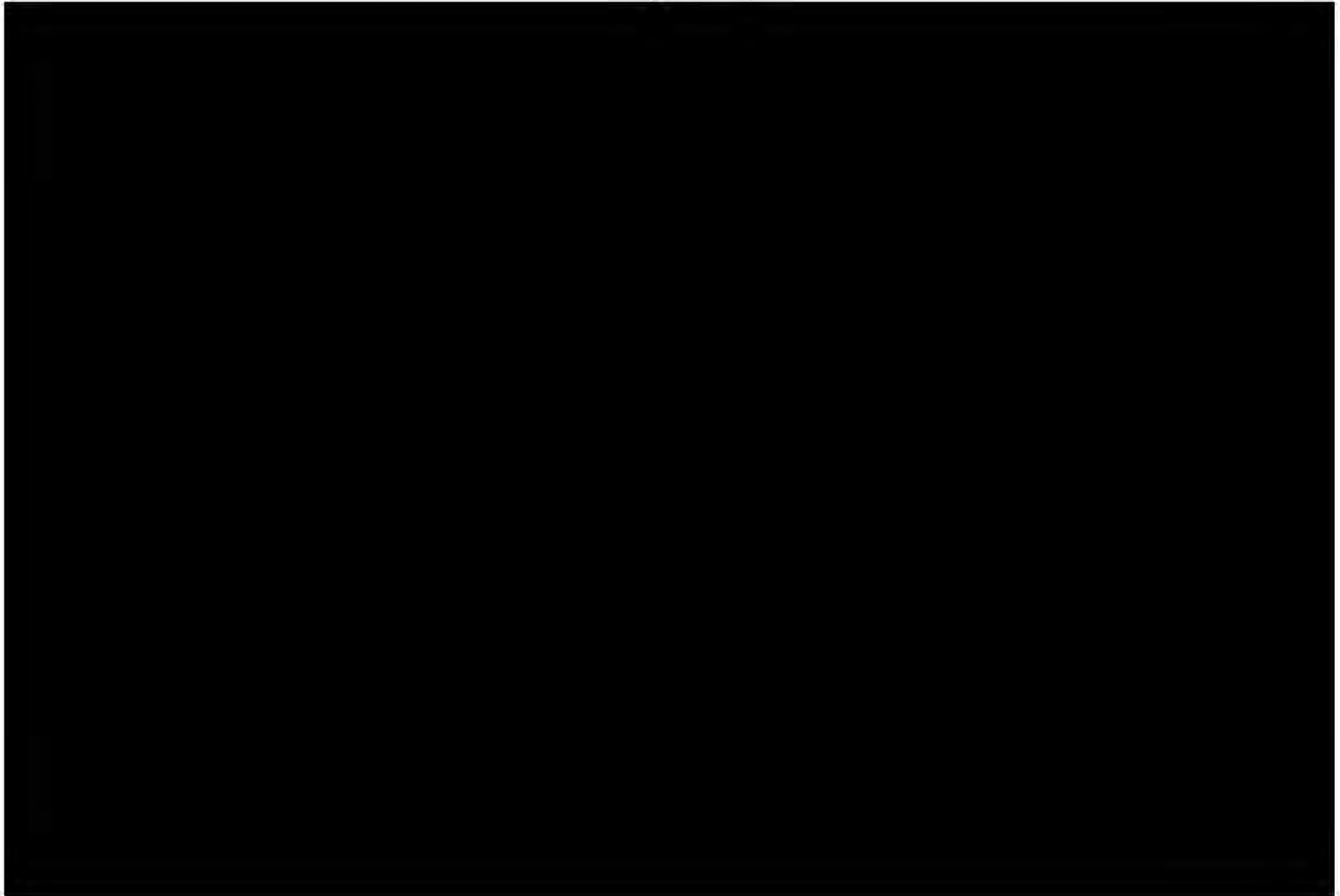


⁴ Data based on the Mattaponi Indian Tribe's Family Tree Maker database.

⁵ [REDACTED] was a Mattaponi Tribal citizen. She married [REDACTED] (Upper Mattaponi) and relocated to the Upper Mattaponi Tribal Community. Their descendants are affiliated with the Upper Mattaponi Indian Tribe.

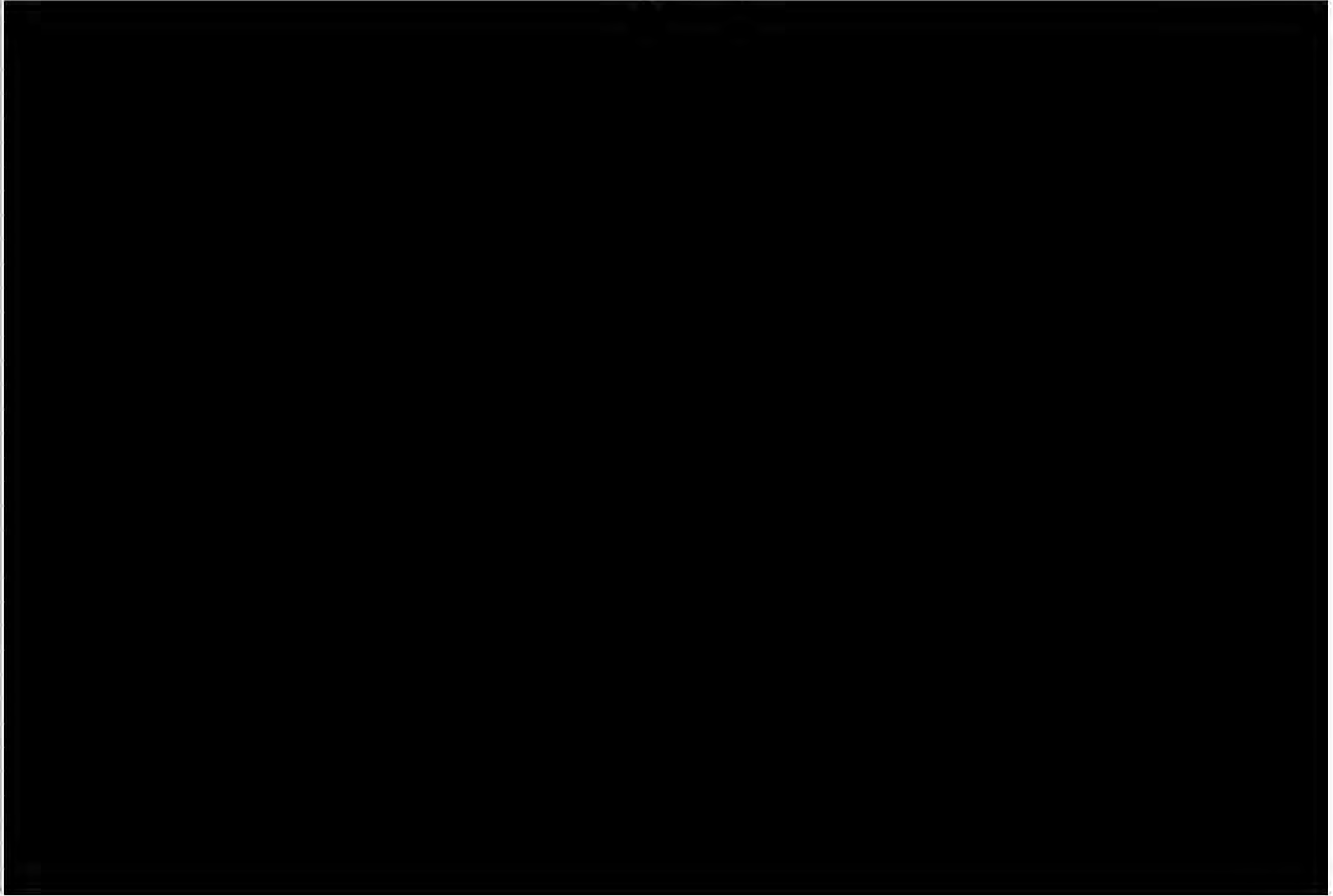
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Known Community Members, 2000 - 2019



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Known Community Members, 2000 - 2019



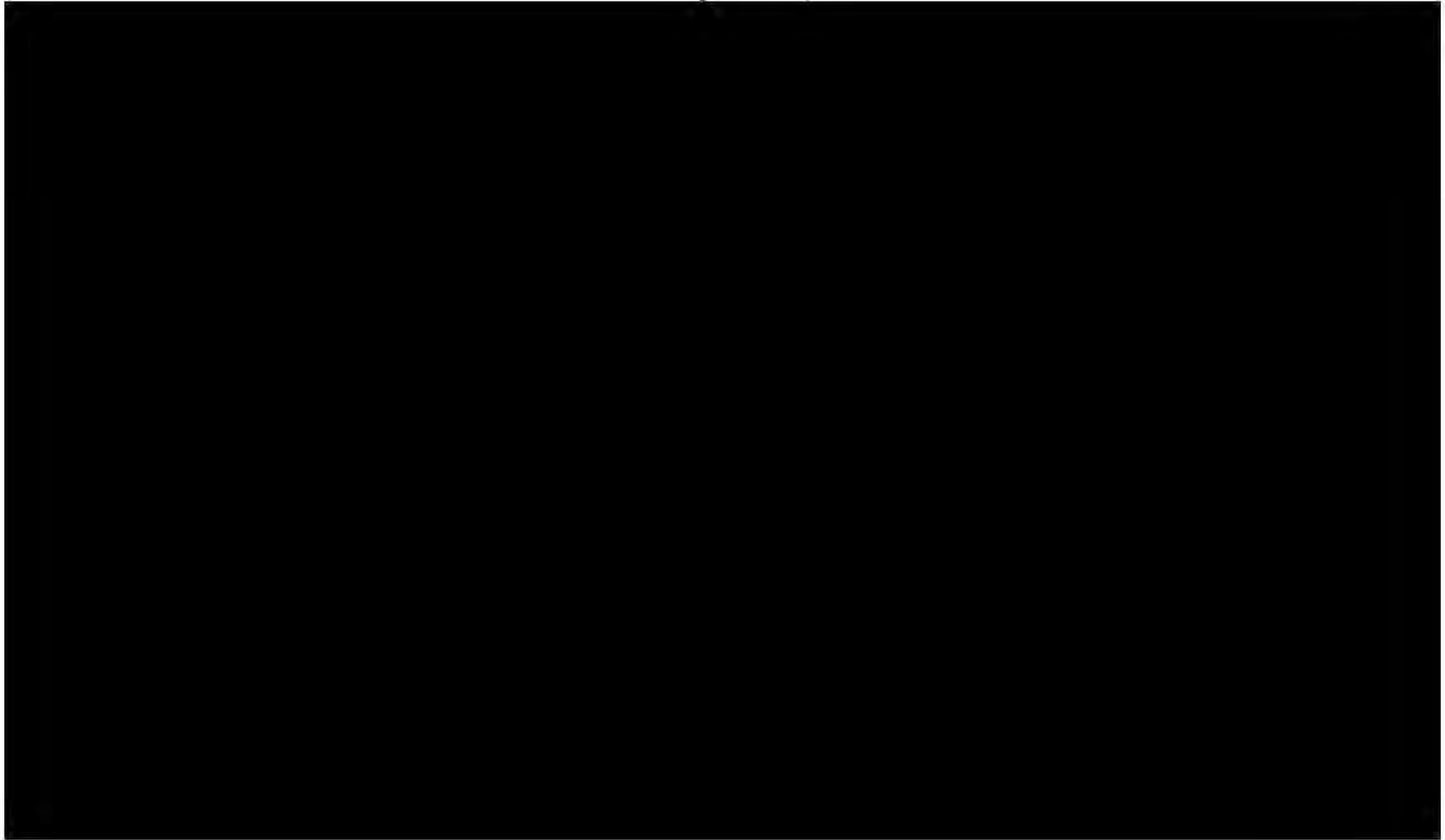
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Known Community Members, 2000 - 2019



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Known Community Members, 2000 - 2019



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Geographic Situation

The Mattaponi community remained centered on and around the Mattaponi Indian Reservation in King William County, Virginia, throughout the period from 2000 to 2019 as reported in *On Indian Land*: “Sixty of the 450 tribal members live on their 150-acre reservation, which lies along the Mattaponi River on land reserved for them by a 1658 act of the Virginia Assembly.”⁶ Tribal members occasionally relocated off the reservation for job opportunities or due to the dwindling of land and resources to support the growing number of lineal descendants, often choosing locations based on familial ties to other counties or states (e.g., Pennsylvania, New Jersey, etc.). In 2019, in a significant gain, 100 acres of land adjacent to the reservation was put into trust for the Mattaponi Indian Tribe through an agreement with the Commonwealth under Governor Northam.⁷

B6-2. Geographical Situation, 2000-2019: Geographic Evidence.

Date	Excerpt
March 6, 2000	[...] the Mattaponi River, which runs by the tribe’s three-centuries-old reservation in King William County. ⁸
June 8, 2000	The Mattaponi Indian Reservation will hold its fifth annual Pow-Wow from 10 a.m. to 5 p.m. on June 17 at the Mattaponi Indian Reservation in King William [...] ⁹
May 25, 2001	To the 62 Mattaponi Indians who live on its banks the Mattaponi River is an ancient birthright. [...] ¹⁰
December 6, 2001	[...] the Mattaponi Indian Tribe in King William County. ¹¹
January 6, 2002	Arora opened a free clinic on the Mattaponi Indian Reservation, in King William County, in 1998. Every other Saturday he makes the four-hour round trip from Charlottesville to the 150-acre reservation, which is home to about 70 families. ¹²
March 28, 2002	[...] The Mattaponi Reservation is on about 200 acres along the Mattaponi River. ¹³
November 6, 2002	The Mattaponi Reservation is one of the oldest reservations remaining and has been located on the banks of the Mattaponi River, the Indians’ lifeblood, since 1646. ¹⁴
March 23, 2003	Chief Custalow ██████████ began efforts to reclaim land for the tribe’s reservation in King William County. ¹⁵
March 9, 2005	She ██████████ also makes medicine wheels, burden baskets, turtle purses, small spears, gourd rattles, turtle rattles, ceremonial pipes and pottery made with clay from the Mattaponi Indian Reservation in King William County, Va. ¹⁶

⁶ Shaiman, M, “Mattaponi Fishery Still Not Protected,” *On Indian Land* (Seattle, WA), 2000.

⁷ Kickingwoman, K., “Tribe signs land trust agreement with Virginia,” *Indian Country Today*. August 28, 2019, <https://ictnews.org/news/tribe-signs-land-trust-agreement-with-virginia>.

⁸ Hardin, P., “Seeking Sovereignty, Indians Face Barriers,” *Suffolk News-Herald* (Suffolk, VA), March 6, 2000.

⁹ Staff, “Powwow,” *Newport News Daily Press* (Newport News, VA), June 8, 2000.

¹⁰ Staff, “Field Notes,” *Suffolk News-Herald* (Suffolk, VA), May 25, 2001.

¹¹ Staff, “Dr. Custalow visits Gravesend,” *Glo-Quips* (Gloucester, VA), December 6, 2001.

¹² Pinto, C., “Indian doctor treats Native Americans,” *The Baltimore Sun* (Baltimore, MD), January 6, 2002.

¹³ Staff, “4-H club members visit reservation, fish factory, courthouse,” *Rappahannock Record* (Kilmarnock, VA), March 28, 2002.

¹⁴ Hugh Spain, “Mattaponi Share Heritage,” *The Smithfield Times* (Smithfield, VA), October 16, 2002.

¹⁵ Staff, “Mattaponi Indian chief dies at 90,” *Suffolk News Herald* (Suffolk, VA), March 23, 2003.

¹⁶ Whitehead, B., “Mattaponi crafter continues tradition and enjoys hard work,” *Indian Country Today*, March 9, 2005, <https://ictnews.org/archive/mattaponi-crafter-continues-tradition-and-enjoys-hard-work>.

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Date	Excerpt
April 6, 2005	In its continued fight against the proposed construction of a 1,524-acre reservoir adjacent to the tribe's reservation in King William County, Va. ¹⁷
May 5, 2005	[...] Gertrude Minnie-Ha-ha Custalow [REDACTED] historian for the Mattaponi Tribe, who also lives on a reservation in King William County. ¹⁸
June 20, 2008	10 a.m.-5 p.m. June 21 (rain date June 22), Mattaponi Indian Reservation, Mattaponi Reservation Circle, West Point. Join the Mattaponi Indians at their 13th-Annual powwow, Virginia's only powwow on an Indian Reservation. ¹⁹
April 14, 2009	[...] near the Mattaponi Indian Reservation in King William County, Va. ²⁰
June 15, 2009	[...] held on the Mattaponi Indian Reservation overlooking the Mattaponi River in King William County. [...] ²¹
December 27, 2014	He [REDACTED] was born on April 23, 1937 on the Mattaponi Indian Reservation in King William County. ²²
April 28, 2016	[...] an update on the shad hatchery on the Mattaponi Indian reservation near West Point. ²³
August 28, 2019	The Mattaponi Indian Reservation is located in King William County, Virginia. ²⁴
August 29, 2019	At last count, the Mattaponi Indians included nearly 450 tribal members, although only 75 live on its 150-acre reservation in King William County. ²⁵

Conclusion

These records demonstrate that a significant portion of known Mattaponi ancestors lived “in a geographical area exclusively or almost exclusively composed of members of the entity...” (83.11 (b)(2)(i)). Such geographic clustering reinforces “social relationships connecting individual members” (83.11 (b)(1)(ii)), “rates or patterns of informal social interaction that exist broadly among the members of the entity” (83.11 (b)(1)(iii)), and “shared or cooperative labor or other economic activity among members” (83.11 (b)(1)(iv)).

Community Ties

The community continued to grow during this period. This material provides additional evidence for social ties and continuity within the Mattaponi Indian Tribe. The table below lists the ~112 individuals born into the Mattaponi community between 2000 and 2019. The vital records cited below detail the years and locations of birth for Mattaponi children and affirm the lines of descent connecting contemporary tribal members with the past. These records also illustrate continued geographic clustering of families near the

¹⁷ Whitehead, B., “Virginia Supreme Court grants Mattaponi appeal in reservoir case,” *Indian Country Today*, April 6, 2005, <https://indiancountrytoday.com/archive/virginia-supreme-court-grants-mattaponi-appeal-in-reservoir-case>.

¹⁸ Buxton, M. W., “One Woman's Opinion,” *Southside Sentinel* (Urbanna, VA), May 5, 2005.

¹⁹ Staff, “Mattaponi Indian Reservation 13th-Annual Powwow,” *Newport News Daily Press* (Newport News, VA), June 20, 2008.

²⁰ Whitehead, B., “Federal judge finds issues with King William County, VA. reservoir permits,” *Indian Country Today*, April 14, 2009, <https://ictnews.org/archive/federal-judge-finds-issues-with-king-william-county-va-reservoir-permits>.

²¹ Staff, “Free For All,” *Newport News Daily Press* (Newport News, VA), June 15, 2009.

²² Staff, “Dr. Linwood “Little Bear” Custalow,” *Newport News Daily Press* (Newport News, VA), December 27, 2014.

²³ Dietrich, T., “Effects of climate change felt locally,” *Newport News Daily Dispatch* (Newport News, VA), April 28, 2016.

²⁴ Kickingwoman, K., “Tribe signs land trust agreement with Virginia,” *Indian Country Today*, August 28, 2019, <https://ictnews.org/news/tribe-signs-land-trust-agreement-with-virginia>.

²⁵ Staff, “Tribe's Chance to Convalesce,” *Newport News Daily Press* (Newport News, VA), August 29, 2019.

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Tribe's Reservation near King William County (with nearly all related births taking place in hospitals in nearby Richmond) and in the Philadelphia enclave.²⁶

B6-3. Community Ties, 2000-2019: Birth Events.

Parents	Total	Individuals	Year	Reference
[REDACTED]	1	[REDACTED]	2016	Solano, CA ²⁷
[REDACTED]	1	[REDACTED]	2013	Newport News, VA ²⁸
[REDACTED]	2	[REDACTED]	2001 2008	Virginia Beach, VA ²⁹ Virginia Beach, VA ³⁰
[REDACTED]	1	[REDACTED]	2010	York, VA ³¹
[REDACTED]	1	[REDACTED]	2002	Henrico, VA ³²
[REDACTED]	1	[REDACTED]	2003	Henrico, VA ³³
[REDACTED]	1	[REDACTED]	2000	Fredericksburg, VA ³⁴
[REDACTED]	3	[REDACTED]	2013 2014 2015	Henrico, VA ³⁵ Henrico, VA ³⁶

²⁶ Please note that in some cases, the birth certificates of individuals known to have been born on the Mattaponi Indian Reservation state they were born in King William County, which surrounds the Reservation. In these cases, the petition narrative and Family Tree Maker database cite the source that specifies a birth took place on the Reservation in addition to the birth certificate.

²⁷ California Birth Records (State of California), California Birth Certificate, Solano County, Fairfield, [REDACTED]

²⁸ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Newport News, [REDACTED]

²⁹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Virginia Beach, [REDACTED]

³⁰ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Virginia Beach, [REDACTED]

³¹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, York County, [REDACTED]

³² Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

³³ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

³⁴ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Fredericksburg, [REDACTED]

³⁵ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

³⁶ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

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Parents	Total	Individuals	Year	Reference
[REDACTED]	1	[REDACTED]	2018	Henrico, VA ³⁷ Hanover, VA ³⁸
	1		2002	Atlantic, NJ ³⁹
	2		2016	Henrico, VA ⁴⁰
	4		2019	Henrico, VA ⁴¹
			2004	Richmond, VA ⁴²
			2007	Richmond, VA ⁴³
			2009	Richmond, VA ⁴⁴
			2012	Chesterfield, VA ⁴⁵
	2		2001	Chesterfield, VA ⁴⁶
			2004	Chesterfield, VA ⁴⁷
	1		2015	Hanover, VA ⁴⁸
	4		2011	Fredericksburg, VA ⁴⁹
			2013	Fairfax, VA ⁵⁰
	2014	Fredericksburg, VA ⁵¹		

³⁷ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

³⁸ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED]

³⁹ New Jersey Birth Records (State of New Jersey), New Jersey Birth Certificate, Atlantic County, Pomona, [REDACTED]

⁴⁰ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

⁴¹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

⁴² Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Richmond, [REDACTED]

⁴³ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Richmond, [REDACTED]

⁴⁴ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Richmond, [REDACTED]

⁴⁵ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED]

⁴⁶ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield, [REDACTED]

⁴⁷ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield, [REDACTED]

⁴⁸ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED]

⁴⁹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Fredericksburg, [REDACTED]

⁵⁰ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Fairfax County, [REDACTED]

⁵¹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Caroline County, [REDACTED]

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Parents	Total	Individuals	Year	Reference
[REDACTED]		[REDACTED]	2017	Fredericksburg, VA ⁵²
[REDACTED]	2	[REDACTED]	2015 2017	Fredericksburg, VA ⁵³ Fredericksburg, VA ⁵⁴
[REDACTED]	1	[REDACTED]	2001	Richmond, VA ⁵⁵
[REDACTED]	2	[REDACTED]	2001 2005	Henrico, VA ⁵⁶ Henrico, VA ⁵⁷
[REDACTED]	1	[REDACTED]	2007	Henrico, VA ⁵⁸
[REDACTED]	2	[REDACTED]	2005	San Mateo, CA ⁵⁹
[REDACTED]	1	[REDACTED]	2007 2003	San Mateo, CA ⁶⁰ Prague, Czech Republic ⁶¹
[REDACTED]	2	[REDACTED]	2000 2006	Chesterfield, VA ⁶² Chesterfield, VA ⁶³
[REDACTED]	1	[REDACTED]	2005	Hanover, VA ⁶⁴
[REDACTED]	2	[REDACTED]	2003	Richmond, VA ⁶⁵

⁵² Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Fredericksburg, [REDACTED]

⁵³ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Fredericksburg, [REDACTED]

⁵⁴ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Fredericksburg, [REDACTED]

⁵⁵ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Richmond, [REDACTED]

⁵⁶ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico, [REDACTED]

⁵⁷ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

⁵⁸ Virginia Marriage Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico, [REDACTED]

⁵⁹ California Birth Records (State of California), California Birth Certificate, San Mateo, Redwood City, [REDACTED]

⁶⁰ California Birth Records (State of California), California Birth Certificate, San Mateo, Redwood City, [REDACTED]

⁶¹ Consular Report of Birth Abroad (U.S. Department of State), Birth Record of the United States of America, Czech Republic, Prague, [REDACTED]

⁶² Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED]

⁶³ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED]

⁶⁴ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED]

⁶⁵ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Richmond, [REDACTED]

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Parents	Total	Individuals	Year	Reference
[REDACTED]	1	[REDACTED]	2003	Chesterfield, VA ⁶⁶
[REDACTED]	1	[REDACTED]	2019	Chesterfield, VA ⁶⁷
[REDACTED]	1	[REDACTED]	2000	Philadelphia, PA ⁶⁸
[REDACTED]	3	[REDACTED]	2001	Westminster, United Kingdom ⁶⁹
[REDACTED]		[REDACTED]	2003	Santa Clara, CA ⁷⁰
[REDACTED]		[REDACTED]	2007	Santa Clara, CA ⁷¹
[REDACTED]	1	[REDACTED]	2015	Walton, FL ⁷²
[REDACTED]	2	[REDACTED]	2000	Hanover, VA ⁷³
[REDACTED]		[REDACTED]	2001	Hanover, VA ⁷⁴
[REDACTED]	3	[REDACTED]	2009	York, VA ⁷⁵
[REDACTED]		[REDACTED]	2015	Hanover, VA ⁷⁶
[REDACTED]		[REDACTED]	2019	Hanover, VA ⁷⁷
[REDACTED]	1	[REDACTED]	2016	Bismarck, ND ⁷⁸

⁶⁶ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED].

⁶⁷ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED].

⁶⁸ Pennsylvania Birth Records (Commonwealth of Pennsylvania), Pennsylvania Birth Certificate, Philadelphia, [REDACTED].

⁶⁹ England Birth Records, England Birth Certificate, Westminster, [REDACTED].

⁷⁰ California Birth Records (State of California), California Birth Certificate, Santa Clara County, Palo Alto, [REDACTED].

⁷¹ California Birth Records (State of California), California Birth Certificate, Santa Clara, Palo Alto, [REDACTED].

⁷² Florida Birth Records (State of Florida), Florida Birth Certificate, Walton County, Miramar Beach, [REDACTED].

⁷³ Virginia Marriage Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover, Raleigh, [REDACTED].

⁷⁴ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED].

⁷⁵ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, York County, [REDACTED].

⁷⁶ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED].

⁷⁷ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED].

⁷⁸ North Dakota Birth Records (State of North Dakota), North Dakota Birth Certificate, Bismarck County, [REDACTED].

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Parents	Total	Individuals	Year	Reference
[REDACTED]	3	[REDACTED]	2014	Rockingham, VA ⁷⁹
			2015	Rockingham, VA ⁸⁰
			2017	Rockingham, VA ⁸¹
	1		2003	Henrico, VA ⁸²
	2		2008	Henrico, VA ⁸³
			2012	Henrico, VA ⁸⁴
	2		2009	Chesterfield, VA ⁸⁵
			2017	Chesterfield, VA ⁸⁶
	2		2015	Chesterfield, VA ⁸⁷
			2018	Chesterfield, VA ⁸⁸
1	2001	Philadelphia, PA ⁸⁹		
2	2002	Philadelphia, PA ⁹⁰		
	2003	Philadelphia, PA ⁹¹		
1	2010	Hanover, VA ⁹²		

⁷⁹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Rockingham County, [REDACTED], [REDACTED].

⁸⁰ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Rockingham County, [REDACTED], [REDACTED].

⁸¹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Rockingham County, [REDACTED], [REDACTED].

⁸² Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED], [REDACTED].

⁸³ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED], [REDACTED].

⁸⁴ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED], [REDACTED].

⁸⁵ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED], [REDACTED].

⁸⁶ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED], [REDACTED].

⁸⁷ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED], [REDACTED].

⁸⁸ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED], [REDACTED].

⁸⁹ Pennsylvania Birth Records (Commonwealth of Pennsylvania), Pennsylvania Birth Certificate, Philadelphia County, Philadelphia, [REDACTED].

⁹⁰ Pennsylvania Birth Records (Commonwealth of Pennsylvania), Pennsylvania Birth Certificate, Philadelphia County, [REDACTED], [REDACTED].

⁹¹ Pennsylvania Birth Records (Commonwealth of Pennsylvania), Pennsylvania Birth Certificate, Philadelphia County, [REDACTED], [REDACTED].

⁹² Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED], [REDACTED].

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Parents	Total	Individuals	Year	Reference
[REDACTED]	1	[REDACTED]	2017	Roanoke, VA ⁹³
[REDACTED]	1	[REDACTED]	2011	Henrico, VA ⁹⁴
[REDACTED]	2	[REDACTED]	2000 2005	Williamsburg, VA ⁹⁵ Dare, NC ⁹⁶
[REDACTED]	1	[REDACTED]	2016	York, VA ⁹⁷
[REDACTED]	1	[REDACTED]	2006	Richmond, VA ⁹⁸
[REDACTED]	2	[REDACTED]	2000 2002	Burlington, NJ ⁹⁹ Burlington, NJ ¹⁰⁰
[REDACTED]	1	[REDACTED]	2015	York, VA ¹⁰¹
[REDACTED]	2	[REDACTED]	2013 2014	Henrico, VA ¹⁰² Henrico, VA ¹⁰³
[REDACTED]	1	[REDACTED]	2006	Staten Island, NY ¹⁰⁴

⁹³ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Roanoke, [REDACTED]

⁹⁴ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

⁹⁵ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Williamsburg, [REDACTED]

⁹⁶ North Carolina Birth Records (State of North Carolina), North Carolina Birth Certificate, Dare County, [REDACTED]

⁹⁷ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, York County, [REDACTED]

⁹⁸ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Richmond, [REDACTED]

⁹⁹ New Jersey Birth Records (State of New Jersey), New Jersey Birth Certificate, Burlington County, Willingboro, [REDACTED]

¹⁰⁰ New Jersey Birth Records (State of New Jersey), New Jersey Birth Certificate, Burlington County, Willingboro, [REDACTED]

¹⁰¹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, York County, [REDACTED]

¹⁰² Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

¹⁰³ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

¹⁰⁴ New York Birth Records (State of New York), New York Birth Certificate, Richmond County, Staten Island, [REDACTED]

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Parents	Total	Individuals	Year	Reference
[REDACTED]	1	[REDACTED]	2007	Camden, NJ ¹⁰⁵
[REDACTED]	2	[REDACTED]	2012 2014	Columbus, OH ¹⁰⁶ Monroe, MI ¹⁰⁷
[REDACTED]	1	[REDACTED]	2000	Philadelphia, PA ¹⁰⁸
[REDACTED]	1	[REDACTED]	2018	Montgomery, PA ¹⁰⁹
[REDACTED]	1	[REDACTED]	2018	Philadelphia, PA ¹¹⁰
[REDACTED]	1	[REDACTED]	2003	Richmond, VA ¹¹¹
[REDACTED]	2	[REDACTED]	2012 2014	Hanover, VA ¹¹² Henrico, VA ¹¹³
[REDACTED]	2	[REDACTED]	2017 2020	Newport News, VA ¹¹⁴ Hanover, VA ¹¹⁵
[REDACTED]	3	[REDACTED]	2001	Williamsburg, VA ¹¹⁶
[REDACTED]		[REDACTED]	2004	Williamsburg, VA ¹¹⁷
[REDACTED]		[REDACTED]	2007	Williamsburg, VA ¹¹⁸

¹⁰⁵ New Jersey Birth Records (State of New Jersey), New Jersey Birth Certificate, Camden, [REDACTED], [REDACTED].

¹⁰⁶ Ohio Birth Records (State of Ohio), Ohio Birth Certificate, Columbus County, [REDACTED], [REDACTED].

¹⁰⁷ Michigan Birth Records (State of Michigan), Michigan Birth Certificate, Monroe County, [REDACTED], [REDACTED].

¹⁰⁸ Pennsylvania Birth Records (Commonwealth of Pennsylvania), Pennsylvania Birth Certificate, Philadelphia County, [REDACTED], [REDACTED].

¹⁰⁹ Pennsylvania Birth Records (Commonwealth of Pennsylvania), Pennsylvania Birth Certificate, Montgomery County, [REDACTED], [REDACTED].

¹¹⁰ Pennsylvania Birth Records (Commonwealth of Pennsylvania), Pennsylvania Birth Certificate, Philadelphia County, [REDACTED], [REDACTED].

¹¹¹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Richmond, [REDACTED], [REDACTED].

¹¹² Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED], [REDACTED].

¹¹³ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED], [REDACTED].

¹¹⁴ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Newport News, [REDACTED], [REDACTED].

¹¹⁵ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED], [REDACTED].

¹¹⁶ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Williamsburg, [REDACTED], [REDACTED].

¹¹⁷ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Williamsburg, [REDACTED], [REDACTED].

¹¹⁸ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Williamsburg, [REDACTED], [REDACTED].

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Parents	Total	Individuals	Year	Reference
[REDACTED]	2	[REDACTED]	2009	Hanover, VA ¹¹⁹
			2014	Hanover, VA ¹²⁰
	1		2002	Philadelphia, PA ¹²¹
	1		2002	Clark, NV ¹²²
	2		2001	Richmond, VA ¹²³
			2007	Henrico, VA ¹²⁴
	1		2009	Hanover, VA ¹²⁵
	1		2018	Hanover, VA ¹²⁶
	1		2015	Hanover, VA ¹²⁷
	1		2017	Chesterfield, VA ¹²⁸
2	2003	Henrico, VA ¹²⁹		
	2009	Henrico, VA ¹³⁰		

¹¹⁹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED]

¹²⁰ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED]

¹²¹ Pennsylvania Birth Records (Commonwealth of Pennsylvania), Pennsylvania Birth Certificate, Philadelphia, [REDACTED]

¹²² Nevada Birth Records (State of Nevada), Nevada Birth Certificate, Clark County, Las Vegas, [REDACTED]

¹²³ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Richmond, [REDACTED]

¹²⁴ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico, [REDACTED]

¹²⁵ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED]

¹²⁶ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED]

¹²⁷ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED]

¹²⁸ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED]

¹²⁹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico, [REDACTED]

¹³⁰ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

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Parents	Total	Individuals	Year	Reference
[REDACTED]	3	[REDACTED]	2000	Williamsburg, VA ¹³¹
			2002	Williamsburg, VA ¹³²
			2005	Williamsburg, VA ¹³³
	1		2017	Chesterfield, VA ¹³⁴
	1		2006	Henrico, VA ¹³⁵
	2		2019	Philadelphia, PA ¹³⁶
	2		2012	Knox, TN ¹³⁷
			2017	Allegheny, PA ¹³⁸

Conclusion

The Mattaponi Indian Tribe continued to have a strong cultural and institutional core centered on the Mattaponi Indian Reservation and in enclaves in nearby Virginia locations and in Pennsylvania. Vital records link contemporary tribal members to their antecedents and show clustering of community members in a few key geographic areas, which resulted from and facilitated social relationships (83.11 (b)(1)(ii)), informal social interaction (83.11 (b)(1)(iii)), and the “persistence of a collective identity” (83.11 (b)(1)(viii)) among Mattaponi people. The frequency of community births taking place in and around Richmond also points to the continued occupation and use of the Mattaponi Indian Reservation, or “land set aside by a State for the petitioner” (83.11 (b)(1)(ix)).

Community Institutions and Organizations

From 2000 to 2019, members of the Mattaponi Indian Tribe continued to maintain community ties through multiple religious, economic, and educational institutions, including the Mattaponi Indian Baptist Church, the Mattaponi Hatchery, and the Mattaponi Indian Museum. These institutions, along with the tribal government (discussed further in Section IV, Part C of this petition), constituted important historical

¹³¹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Williamsburg, [REDACTED]

¹³² Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Williamsburg, [REDACTED]

¹³³ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Williamsburg, [REDACTED]

¹³⁴ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED]

¹³⁵ Virginia Birth Records (Commonwealth of Virginia), Virginia, Henrico County, [REDACTED]

¹³⁶ Pennsylvania Birth Records (Commonwealth of Pennsylvania), Pennsylvania Birth Certificate, Philadelphia County, [REDACTED]

¹³⁷ Tennessee Birth Records (State of Tennessee), Tennessee Birth Certificate, Knox County, Knoxville, [REDACTED]

¹³⁸ Pennsylvania Birth Records (Commonwealth of Pennsylvania), Pennsylvania Birth Certificate, Allegheny County, [REDACTED]

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touchstones for the community during this period and were remarked upon by ethnographers¹³⁹ and journalists.¹⁴⁰

Mattaponi Indian Baptist Church

The Mattaponi Indian Baptist Church continued to operate as an independent community entity throughout the 2000 to 2019 period. As in periods past, the church was host to important community events, such as the funerals of tribal leaders (March 23, 2003; December 27, 2014) and the Tribe’s annual homecoming (discussed further in the section on the Annual Homecoming, below).

B6-4. Community Institutions and Organizations, 2000-2019: Mattaponi Indian Baptist Church

Date	Excerpt
March 23, 2003	[...] This will be followed by a service at 2 p.m. at the Mattaponi Indian Reservation Baptist Church. Chief Little Eagle's [REDACTED] body will be laid to rest on the Mattaponi Indian Reservation. [...] ¹⁴¹
April 17, 2003	Thoughts about the Mattaponi River and its future came naturally at the Mattaponi Indian Reservation Baptist Church yesterday. The tiny chapel sits on a bluff on the 150-acre reservation overlooking the tidal river and a wild hardwood swamp on the other side. ¹⁴²
December 27, 2014	A service and interment on the Mattaponi Indian Reservation will be held at 11 am on Friday, December 26, 2014. Reception will follow at the Community Center on the Reservation. ¹⁴³

Information about the church’s activities in this period is also evident of the records of the annual meetings of the Dover Baptist Association. As in previous periods, the Dover Association Minutes show the regular attendance of delegates from the Mattaponi Indian Baptist Church, and that those delegates were consistently members of the Mattaponi Indian Tribe. These delegates acted as representatives of the congregation at the association, and their attendance would have required the community’s support for expenses such as travel costs. Community members served as Clerk and Pastor for most years within this period. And while the total congregation decreased from previous periods, an active core maintained their membership, with an average of 52 members over this period from 2000 to 2019.

B6-5. Community Institutions and Organizations, 2000-2019: Church Statistics.¹⁴⁴

Year	Pastor	Clerk	Baptized	Total Church Membership
2000 Spring	[REDACTED]	[REDACTED]	2	74
2001 Fall	[REDACTED]	[REDACTED]		
2001 Spring	[REDACTED]	[REDACTED]	0	72
2002 Fall	[REDACTED]	[REDACTED]		

¹³⁹ Woodard, Buck, and Danielle Moretti-Langholtz, “Mattaponi Indian Reservation, King William County, Virginia; Heritage Properties of Indian Town: The Mattaponi Indian Baptist Church, School, and Homes of Chiefly Lineages,” *Anthropological Research Report Series*, no. 7 (October 2017).

¹⁴⁰ Staff, “Journey to History,” *Newport News Daily Press* (Newport News, VA), May 20, 2010. See also: Staff, “Take A Trip Around the State to Discover History,” *Newport News Daily Press* (Newport News, VA), June 9, 2011.

¹⁴¹ Staff, “Chief Daniel Webster Custalow,” *Newport News Daily Press* (Newport News, VA), March 23, 2003. See also: Bobbie Whitehead, “Mattaponi Indian chief passes on,” *Indian Country Today*, March 31, 2003, <https://ictnews.org/archive/mattaponi-indian-chief-passes-on>.

¹⁴² Latane III, L., “Indian Chief Remembered,” *Glo-Quips* (Gloucester, VA), April 17, 2003.

¹⁴³ Staff, “Dr. Linwood “Little Bear” Custalow,” *Newport News Daily Press* (Newport News, VA), December 27, 2014.

¹⁴⁴ Church Statistics, 2000-2019, Dover Baptist Association (Va.), Virginia Baptist Historical Society, University of Richmond, Richmond, Virginia.

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Year	Pastor	Clerk	Baptized	Total Church Membership
2002 Spring			0	72
2003 Fall				
2003 Spring			0	82
2004 Fall				
2004 Spring			0	65
2005 Fall				
2005 Spring			1	50
2006 Fall				
2006 Spring			0	49
2007 Fall	w/o a pastor			
2007 Spring	w/o a pastor		0	49
2008 Fall	w/o a pastor			
2008 Spring	w/o a pastor		0	49
2009 Fall	w/o a pastor			
2009 Spring	w/o a pastor		0	44
2010 Fall	w/o a pastor			
2010 Spring	w/o a pastor		0	44
2011 Fall	w/o a pastor			
2011 Spring	w/o a pastor		1	40
2012 Fall				
2012 Spring			0	38
2013 Fall				
2013 Spring			6	40
2014 Fall				
2014 Spring			2	42
2015 Fall				
2015 Spring			0	42
2016 Fall				
2016 Spring			0	43
2017 Fall				
2017 Spring			11	51
2018 Fall				
2018 Spring			0	51
2019 Fall				
2019 Spring			1	56

The Dover Association records also include the Mattaponi Indian Baptist Church’s Sunday School leadership and attendance statistics, summarized in the table below. These records indicate that, for the years recorded by the Dover Baptist Association, tribal members or their spouses continued to oversee religious life in the community, and that members remained consistently engaged with the church as an institution.

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Table B6-6. Community Institutions and Organizations, 2000-2019: Sunday School Statistics¹⁴⁵

Year	Superintendent	Secretary	Treasurer	No. of Officers and Teachers	Average Attendance	Total Roll
2000					20	74
2001					18	74
2002					25	72
2003				8	25	82
2004					15	65
2005				8	15	50
2006				6	20	49
2007				6	13	49
2008				6	21	49
2009				5	15	44
2010				5	34	44
2011				0	20	40
2012				0	20	38
2013				0	25	40
2014				0	20	42
2015				0	15	42
2016				0	30	43
2017				0	25	51
2018				0		51
2019				0	30	56

Mattaponi Hatchery

The Mattaponi Hatchery remained a central tribal institution between 2000 and 2019, providing critical support to the local shad population, which is economically and culturally important to the Mattaponi Indian Tribe (April 14, 2009; August 29, 2019). Notably, the Tribe completed construction of a new, 2,000 square foot facility to continue the work of replenishing the fish population in the Mattaponi River (August 25, 2004).

B6-7. Community Institutions and Organizations, 2000-2019: Mattaponi Hatchery

Date	Excerpt
2000	Tribal members have fished for shad in the Mattaponi River, which empties into Chesapeake Bay, for over 300 years and continue to rely on the shad today. The Mattaponi fishery is threatened by a proposal to divert water from the river to a reservoir, for drinking water. ¹⁴⁶
May 25, 2001	All they have left is a 150-acre reservation with 23 homes, a fish hatchery, a Baptist church and the river for which they are named. ¹⁴⁷

¹⁴⁵ Sunday School Statistics, 2000-2019, Dover Baptist Association (Va.), Virginia Baptist Historical Society, University of Richmond, Richmond, Virginia.

¹⁴⁶ Shaiman, M, "Mattaponi Fishery Still Not Protected," *On Indian Land* (Seattle, WA), 2000.

¹⁴⁷ Staff, "Field Notes," *Suffolk News-Herald* (Suffolk, VA), May 25, 2001.

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Date	Excerpt
March 28, 2002	[...] After viewing more artifacts in the Mattaponi Indian museum, the 4H'ers visited the fish hatchery. ¹⁴⁸
October 14, 2003	At the VMRC [Virginia Marine Resources Committee] May hearing, the Mattaponi Indians argued that by reducing the number of shad, it would reduce the tribe's livelihood. Both the Mattaponi and Pamunkey Indian tribes operate shad hatcheries to replenish both the Mattaponi and Pamunkey rivers of the shad the tribes catch each year. ¹⁴⁹
August 25, 2004	The tribe, he [REDACTED] said, built a 2,000-square-foot, state-of-the-art shad hatchery and marine sciences center in 2000 to replenish the shad stock in the river. The Mattaponi's hatchery produces 4 - 6 million fry a year, which are tagged and released directly into the Mattaponi River, he said. "Through the hatchery, the tribe has helped maintain the struggling shad population in the river, making it one of the healthiest river systems on the East Coast," Custalow said. ¹⁵⁰
June 30, 2006	[...] The Mattaponi Indians and the Pamunkey Indians also produce shad fry at hatcheries on their reservations in King William County. Each tribe has been generating between 3 million and 6 million shad fry for years, for release into the Mattaponi and Pamunkey rivers. [...] ¹⁵¹
April 14, 2009	The Mattaponi Tribe maintains a shad hatchery to replenish the river and has done so for centuries. ¹⁵²
August 29, 2019	The Mattaponi's reservation is tucked along the western banks of the river sharing the tribe's name. [...] A fish hatchery on the reservation releases nearly 6 million Americans shad fry into the Mattaponi River each year. ¹⁵³

Mattaponi Indian Museum

The Mattaponi Indian Museum also continued as a community institution, with community members passing primary responsibility for the building down through the generations and conducting tours for the public.¹⁵⁴ Oral history interviews indicate that the museum space and collections were cared for collectively on a volunteer basis and provided a meaningful opportunity to share Mattaponi culture with others.

B6-8. Community Institutions and Organizations, 2000-2019: Mattaponi Indian Museum in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	2018 ca.	Pawpaw [REDACTED] died in [19]69, your daddy [REDACTED] took over till his way-too-early passing in [REDACTED]. And then Uncle [REDACTED] took over until he passed in [REDACTED] and then of course my daddy [REDACTED] took over until he passed in [REDACTED] so. And, since I've been over at that museum, and thank goodness I

¹⁴⁸ Staff, "4-H club members visit reservation, fish factory, courthouse," *Rappahannock Record* (Kilmarnock, VA), March 28, 2002.

¹⁴⁹ Whitehead, B., "New judge denies Mattaponi Tribe right to fight city lawsuit over reservoir," *Indian Country Today*, October 14, 2003, <https://ictnews.org/archive/new-judge-denies-mattaponi-tribe-right-to-fight-city-lawsuit-over-reservoir>.

¹⁵⁰ Bobbie Whitehead, "Newport News gets permit to place pipe in Mattaponi River," *Indian Country Today*, August 25, 2004, <https://ictnews.org/archive/newport-news-gets-permit-to-place-pipe-in-mattaponi-river>.

¹⁵¹ Staff, "Record Shad Release Aimed At Reviving America's Fish," *The Farmville Herald* (Farmville, VA), June 30, 2006.

¹⁵² Whitehead, B., "Federal judge finds issues with King William County, VA. reservoir permits," *Indian Country Today*, April 14, 2009, <https://ictnews.org/archive/federal-judge-finds-issues-with-king-william-county-va-reservoir-permits>.

¹⁵³ Staff, "Tribe's Chance to Convalesce," *Newport News Daily Press* (Newport News, VA), August 29, 2019. See also: Holter, E, "Mattaponi tribe awarded land trust grant," *Newport News Daily Press* (Newport News, VA), August 31, 2019.

¹⁵⁴ Personal Communication, [REDACTED], October 22, 2024.

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	got your help, you've been over there a lot on days where I'm not around. But just having people come in there that are interested and curious about Indian culture and the Native living. Just the way we all grew up. And all the history we've got over there, I've never had a day that I left that museum and felt like, man, I wish I could have done something different. I've never felt that way. Every time I've ever come out of there, whether it was one person or a hundred people came in there, I feel like I hopefully was able to share some of my old history and some knowledge. ¹⁵⁵
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Mattaponi Educational Trading Post

The Educational Trading Post existed in this period as an institution through which tribal members could raise awareness of their tribal identity and culture. This included displaying collections of physical artifacts (March 28, 2022) and informing visitors about tribal customs (August 29, 2022).

B6-9. Community Institutions and Organizations, 2000-2019: Mattaponi Educational Trading Post.

Date	Excerpt
March 28, 2002	Custalow [REDACTED] was an excellent teacher and allowed the group to view the many items in her collection of artifacts and Indian treasures in the Minni HaHa [<i>sic</i> ; Minnie Ha-Ha] Educational Trading Post. ¹⁵⁶
August 29, 2019	The Mattaponi's reservation is tucked along the western banks of the river sharing the tribe's name. It already hosts a church, museum and community building. The Minnie-Ha-Ha [<i>sic</i> ; Minnie Ha-Ha] Educational Trading Post aims to spread knowledge of the tribe and its members' customs and way of life. ¹⁵⁷

Conclusion

The distinctly Mattaponi institutions and organizations detailed above served to reinforce “social relationships connecting individual members” (83.11 (b)(1)(ii)) and “rates or patterns of informal social interaction” (83.11 (b)(1)(iii)). The formation and operation of these institutions, especially the hatchery, required “shared or cooperative labor” (83.11 (b)(1)(iv)). The church continued to provide “shared sacred or secular ritual activity” (83.11 (b)(1)(vi)). These centralized establishments and the level of support and engagement garnered from the Mattaponi Indian Reservation community illustrate the “persistence of a collective identity” (83.11 (b)(1)(viii)) and constitute evidence for “distinct community social institutions” (83.11 (b)(2)(iv)) in fulfillment of Criterion (b) of 25 CFR 83.11.

Community Activities

Members of the Mattaponi Indian Tribe continued to participate in subsistence activities during the period from 2000 to 2019. Economic and social cooperation included the continuation of tribal events such as the annual tax tribute and Homecoming, and community activities that preserved and passed on traditional arts such as beadwork, leatherwork, and pottery, or furthered traditional cooperative practices.

Economic Cooperation and Livelihood Strategies

Large-scale cooperative efforts and participation in shared livelihood and economic practices continued through these decades, primarily through activities such as fishing (e.g., March 22, 2001). Notably, this

¹⁵⁵ [REDACTED] “Interview: [REDACTED] by [REDACTED], Mattaponi Indian Tribe, July 28, 2023, PDF Page 14.
¹⁵⁶ Staff, “4-H Club Members Visit Reservation, Fish Factory, Courthouse,” Rappahannock Record (Kilmarnock, Virginia), March 28, 2002.
¹⁵⁷ Staff, “Tribe's Chance to Convalesce,” *Newport News Daily Press* (Newport News, VA), August 29, 2019. See also: Holter, E, “Mattaponi tribe awarded land trust grant,” *Newport News Daily Press* (Newport News, VA), August 31, 2019.

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period also saw an organized effort by the Tribe to revitalize the fish hatchery, which culminated in 2000 with the opening of a new, state-of-the-art facility for the community. The tribal community also continued its collective opposition to the proposed Newport News Reservoir, related to concerns about the effects the reservoir would have on the shad population (September 19, 2003). For evidence pertaining to the tribal government's formal opposition to the reservoir and its support from other federally recognized tribes, please see Criterion C, *Political Influence or Authority*.

B6-10. Community Activities, 2000-2019: Economic Cooperation and Livelihood Strategies.

Date	Excerpt
March 22, 2001	Fishing for Shad is not only necessary for subsistence, but also an integral part of the Mattaponi culture, practiced continuously for over 15,000 years along the banks of the river, which bears their name. ¹⁵⁸
May 25, 2001	This river is the life-blood of this reservation because it's allowed our people, our culture and this reservation to survive," said Carl Lone Eagle Custalow [REDACTED] assistant chief of the Mattaponi. "Whoever controls water in an area controls everything else. ¹⁵⁹
August 7, 2001	The Mattaponi Indians - which include descendants of Pocahontas - have long considered sacred the river that runs through their reservation in Virginia. The annual shad run, in particular, is of great cultural significance. [...] "We still fish the waters the same way we taught the early settlers," says Linwood "Little Bear" Custalow [REDACTED] tribe historian. ¹⁶⁰
2003	The proposed King William Reservoir is being pursued by the coastal city of Newport News, over 50 miles to the east of the proposed reservoir site and well outside of the York River basin, which includes the Mattaponi River. If constructed, it will submerge nearly 50 acres of wetland, some of it on the Mattaponi Reservation, and will cover at least 72 indigenous archaeological sites. Significantly, it would signal an end to the naturally occurring annual shad (an indigenous fish) run - the mainstay of the economy of all three tribes. ¹⁶¹
April 1, 2003	[...] The Mattaponi and Pamunkey Indians, Powhatan's descendants who reside on a reservation also near the proposed reservoir site, have relied on the shad in the Mattaponi and Pamunkey rivers for centuries for their sustenance, and they replenish the rivers with shad raised in their hatcheries. ¹⁶²
April 17, 2003	A hunter and fisherman, Custalow [REDACTED] set nets for shad and herring every spring in the fashion of his forebears. He said in an interview seven years ago that the tribe depended on the river for physical as well as spiritual sustenance. Custalow stopped fishing in the river from a boat when he was 85. [...] Besides his ability as a gardener and his generosity with his vegetables. ¹⁶³
December 23, 2003	A crucial issue for the Mattaponi tribe rests with the loss of shad spawning beds that would harm the tribe's shad fish hatchery operated on the Mattaponi River. Each year for centuries, the Mattaponi has practiced replenishing the river of shad that the tribe catches. ¹⁶⁴

¹⁵⁸ Staff, "Gravesham Helps Pocahontas' Descendants!" *Glo-Quips* (Gloucester, VA), March 22, 2001.

¹⁵⁹ Staff, "Field Notes," *Suffolk News-Herald* (Suffolk, VA), May 25, 2001.

¹⁶⁰ Ron Scherer, "When Both Tribe And City Eye A River," *Christian Science Monitor* 93, no. 177 (2001): 2.

¹⁶¹ Samuel Cook, "Anthropological Advocacy in Historical Perspective: The Case of Anthropologists and Virginia Indians," *Human Organization* 62, no. 2 (2003): 11.

¹⁶² Bobbie Whitehead, "Mattaponi fight flooding of cultural sites and gathering grounds," *Indian Country Today*. April 1, 2003, <https://indiancountrytoday.com/archive/mattaponi-fight-flooding-of-cultural-sites-and-gathering-grounds>.

¹⁶³ Latane III, L., "Indian Chief Remembered," *Glo-Quips* (Gloucester, VA), April 17, 2003.

¹⁶⁴ Bobbie Whitehead, "Judge makes no decision in appeal of Newport News reservoir issue," *Indian Country Today*. December 23, 2003, <https://indiancountrytoday.com/archive/judge-makes-no-decision-in-appeal-of-newport-news-reservoir-issue>.

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Date	Excerpt
March 1, 2004	<p>But the tribes' livelihood, too, stands to be harmed. Both the Mattaponi and the Pamunkey Indian tribes operate shad fisheries. This is a practice both tribes have conducted in the rivers for centuries, according to Todd Custalow [REDACTED] Mattaponi fisheries' manager and Mattaponi Chief Carl Custalow's [REDACTED] son.</p> <p>[...] The Mattaponi isn't alone in the fight over the reservoir, several environmental groups, including the Sierra Club, continue to fight the reservoir plans. But the environmental groups, represented by the Southern Environmental Law Center, too, have had their lawsuits against the city and their requests to intervene denied.¹⁶⁵</p>
August 25, 2004	<p>The tribe, he [REDACTED] said, built a 2,000-square-foot, state-of-the-art shad hatchery and marine sciences center in 2000 to replenish the shad stock in the river. The Mattaponi's hatchery produces 4 - 6 million fry a year, which are tagged and released directly into the Mattaponi River, he said.</p> <p>"Through the hatchery, the tribe has helped maintain the struggling shad population in the river, making it one of the healthiest river systems on the East Coast," Custalow said. "My father always told us that we must take care of the river, and it will take care of us. And if we take from the river, we must also put back. This has been the driving force of our hatchery efforts for many years."</p> <p>Custalow told the commission that the shad don't start and stop spawning on a specific date. And if the shad population and spawning grounds were harmed, the tribe's hatchery wouldn't be able to continue to operate.</p> <p>"The time and money spent will have been in vain, and the tribe will have to depart from its traditional methods of life," he said.¹⁶⁶</p>
October 19, 2006	<p>The tribe, researchers and environmentalists argue that withdrawal of water from the Mattaponi River, which runs alongside the tribe's shad hatchery and reservation, may harm the spawning of shad. Members of the tribe have cultural, religious and economic ties to the river, which they replenish annually with shad from a hatchery members have operated for generations.¹⁶⁷</p>

Social Cooperation and Mutual Aid

Throughout this period, tribal members participated in various forms of social cooperation, including community-centered services such as the Healing Eagle Clinic, which became a social site in addition to an important source of healthcare (January 6, 2002). The Tribe also engaged in shared fundraising efforts for the good of the community (December 27, 2014).

B6-11. Community Activities, 2000-2019: Social Cooperation and Mutual Aid.

Date	Excerpt
January 6, 2002	<p>Arora opened a free clinic on the Mattaponi Indian Reservation, in King William County, in 1998. Every other Saturday he makes the four-hour round trip from Charlottesville to the 150-acre reservation, which is home to about 70 families.</p>

¹⁶⁵ Whitehead, B., "Newport News begins new negotiations for reservoir," *Indian Country Today*. March 1, 2004, <https://ictnews.org/archive/newport-news-begins-new-negotiations-for-reservoir>.

¹⁶⁶ Whitehead, B., "Newport News gets permit to place pipe in Mattaponi River," *Indian Country Today*, August 25, 2004, <https://ictnews.org/archive/newport-news-gets-permit-to-place-pipe-in-mattaponi-river>.

¹⁶⁷ Whitehead, B., "Permit denial puts Virginia reservoir project in limbo Mattaponi lawsuit will continue," *Indian Country Today*, October 19, 2006, <https://ictnews.org/archive/permit-denial-puts-virginia-reservoir-project-in-limbo-mattaponi-lawsuit-will-continue>.

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Date	Excerpt
	<p>[...] Going to the clinic is a festive occasion, Sargent said. People come from the Mattaponi reservation as well as nearby towns and seven other Indian reservations that are within 40 miles. They bring food and socialize while they wait to be seen.</p> <p>"Whole families come. Dogs come inside the waiting room. People come in carpools," Sargent said. "Once people are seen, they don't necessarily go home. People stay and visit."¹⁶⁸</p>
October 7, 2004	<p>On Sunday, October 10, from 3 to 5 p.m., there will be a gospel concert at Tappahannock Memorial United Methodist Church to raise funds to support the Healing Eagle Clinic on the Mattaponi Indian Reservation.</p> <p>[...] The proceeds will be used by the Healing Eagle Clinic to repair termite damage to their facility on the reservation, which also serves as the community center for the tribe. [...]</p> <p>Dr. Arrora [<i>sic</i>; Dr. Arora], with the sanction of the tribal chief, is in charge of the clinic, as a volunteer. He and Chief Carl Lone Eagle Custalow [REDACTED] are the administrators of clinic operating funds. Dr. Arrora [<i>sic</i>] sees Native American patients on two Saturdays each month, usually 50 or more each day. His patients come from about eight different tribes.¹⁶⁹</p>
October 21, 2004	<p>In 1999 a Free Health Clinic was started on the Mattaponi Reservation on the initiative of Dr. Narinder Arora, a pulmonary doctor, and the chief of the Mattaponi Indian Tribe, Carl "Lone Eagle" Custalow [REDACTED]</p> <p>[...] The Mattaponi Tribe is the host tribe of the clinic and their community building is the only site available for the clinic use on the reservation. It is an old building badly in need of repair and also used for all tribal functions.¹⁷⁰</p>
December 27, 2014	<p>In lieu of flowers, please make a donation to the Mattaponi Eagle Trust, which provides education and assists with land acquisition for the Mattaponi People and Tribe.¹⁷¹</p>

Annual Homecoming

Homecoming is an annual event at the Mattaponi Indian Baptist Church that consists of community celebrations and services. Several members of the Mattaponi Indian Tribe reported that they attended every year over the span of their lives, which include the period from 2000 to 2019.¹⁷² Homecoming in 2019 was a particularly noteworthy occasion, at which Chief Mark Custalow formally commemorated the additional 100 acres placed into trust for the Tribe by Virginia Governor Ralph Northam (August 28, 2019).

¹⁶⁸ Pinto, C., "Indian doctor treats Native Americans," *The Baltimore Sun* (Baltimore, MD), January 6, 2002.

¹⁶⁹ Staff, "Gospel concert proceeds will benefit Healing Eagle," *Rappahannock Record* (Kilmarnock, VA), October 7, 2004.

¹⁷⁰ Staff, "Raffle to Benefit Healing Eagle Clinic," *Glo-Quips* (Gloucester, VA), October 21, 2004.

¹⁷¹ Staff, "Dr. Linwood "Little Bear" Custalow," *Newport News Daily Press* (Newport News, VA), December 27, 2014.

¹⁷² Mattaponi citizens who discussed the annual homecoming event as a significant part of Mattaponi community throughout their lives in their interviews included [REDACTED]

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B6-12. Community Activities, 2000-2019: Annual Homecoming.

Date	Excerpt
August 28, 2019	The occasion was commemorated at the tribe's annual Homecoming and Revival. Chief of the Mattaponi, Mark Custalow [REDACTED] described the day as one that will long be remembered. ¹⁷³

Annual Powwow and Other Social Events

The Mattaponi Indian Tribe upheld its annual cycle of community events from 2000 to 2019. The Tribe described its major annual events and the level of volunteer engagement and attendance from the community during this period in a grant application to the Administration for Native Americans:

The Tribe's Easter Sunrise Service is a community event held in conjunction with the Mattaponi Indian Baptist Church that includes a community banquet of shad and rockfish, the coordination of ~30 volunteers (~15 to provide the catch, ~15 to cook and organize the event), and brings in ~150-200 tribal member attendees. Homecoming events for the Mattaponi Indian Baptist Church involve ~100 tribal volunteers who contribute food, supplies, and organizational support and are attended by ~300 tribal members. Tribal Appreciation Day, held on the 4th of July, includes about 20 tribal volunteers, and routinely attracts ~175 to 200 tribal members. Finally, the Tribal Council coordinates the annual Mattaponi powwow. This event, which dates from at least the 1940s, involves about 20 volunteers and garners the participation of ~175-200 tribal members, with about 1,000 overall attendees including dancers and patrons from tribal and non-tribal communities across Virginia and the East Coast of the United States.¹⁷⁴

The Mattaponi Indian Tribe's powwow was a highlight throughout this period. It was widely covered in news media, which noted the attendance of representatives from Governor Terry McAuliffe's office (June 14, 2017), and that the Mattaponi powwow was the only powwow in Virginia that was held on a reservation (March 9, 2005).

B6-13. Community Activities, 2000-2019: Annual Powwow and Other Social Events in Other Sources.

Date	Excerpt
March 9, 2005	A member of the Mattaponi Indian Tribe and a descendant of Pocahontas, Kuhns [REDACTED] spends time each day crafting a variety of items that she sells at her booth at area pow wows. She's attended pow wows since she was a child and says there's a lot of preparation throughout the year for the pow wow season, which for her begins in April and ends in August. [...] The Mattaponi opened its pow wow - the only one held on a reservation in Virginia - to the public in the 1980s, and the Mattaponi Indian Tribe pow wow is held each June. ¹⁷⁵
June 8, 2000	The Mattaponi Indian Reservation will hold its fifth annual Pow-Wow from 10 a.m. to 5 p.m. on June 17 at the Mattaponi Indian Reservation in King William. Admission is \$4 for adults and free for children 6 and under. Only Native American dancers, drummers, food and crafts will be featured. A rain date of 1-6 p.m. on June 18 has been set. Because this is a family

¹⁷³ Kickingwoman, K., "Tribe signs land trust agreement with Virginia," *Indian Country Today*, August 28, 2019, <https://ictnews.org/news/tribe-signs-land-trust-agreement-with-virginia>. See also: Staff, "Virginia deal expands Mattaponi reservation," *The News-Press* (Fort Myers, FL), August 28, 2019.

¹⁷⁴ Mattaponi Indian Tribe, "Securing Sovereignty: The Mattaponi Federal Acknowledgment Project," Application for Administration of Native Americans Social and Economic Strategies Grant, 2020.

¹⁷⁵ Whitehead, B., "Mattaponi crafter continues tradition and enjoys hard work," *Indian Country Today*, March 9, 2005, <https://ictnews.org/archive/mattaponi-crafter-continues-tradition-and-enjoys-hard-work>.

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Date	Excerpt
	event, no drugs or alcohol will be allowed and pets are not welcome. Bring your own lawn chairs. ¹⁷⁶
March 9, 2005	As a child and the daughter of the late Mattaponi chief, Webster "Little Eagle" Custalow [REDACTED] and sister to Mattaponi chief Carl "Lone Eagle" Custalow [REDACTED] Kuhns [REDACTED] family members and other Virginia Indians attended pow wows years ago on the Mattaponi Reservation that served as celebrations. [...] The Mattaponi opened its pow wow - the only one held on a reservation in Virginia - to the public in the 1980s, and the Mattaponi Indian Tribe pow wow is held each June. ¹⁷⁷
June 20, 2008	10 a.m.-5 p.m. June 21 (rain date June 22), Mattaponi Indian Reservation, Mattaponi Reservation Circle, West Point. Join the Mattaponi Indians at their 13th-Annual powwow, Virginia's only powwow on an Indian Reservation. The powwow will feature dancing, drumming, food and crafts. Entry is noon. Children under six free. This is a family event, no drugs or alcohol allowed, no pets. Bring your own lawn chairs and the entire family. ¹⁷⁸
June 15, 2009	The public is welcome to join the Mattaponi Indians at their 14th Annual Powwow. Held on the Mattaponi Indian Reservation overlooking the Mattaponi River in King William County, the Powwow features American Indian dancing, drumming, food, arts and crafts. Grounds open at 10 a.m. and the Powwow closes at 5 p.m. Grand entry is at noon. Admission is \$5; free for children 6 years and under. Lawn chairs are welcome; no pets please. ¹⁷⁹
2012	[...] June 16, 2012 17th Annual Mattaponi Indian Reservation Powwow Mattaponi Indian Reservation, 10-5 p.m. Rain Date: June 17 King William, Virginia Mark T. Custalow [REDACTED] Email: [REDACTED]
June 2016	[...] June 18, 2016 21st Annual Mattaponi Powwow Mattaponi Indian Reservation 1413 Mattaponi Reservation Circle West Point, Virginia, USA Contact: Mark Custalow [REDACTED] Phone: [REDACTED] Email: [REDACTED] ¹⁸¹

¹⁷⁶ Staff, "Powwow," *Newport News Daily Press* (Newport News, VA), June 8, 2000.

¹⁷⁷ Whitehead, B., "Mattaponi crafter continues tradition and enjoys hard work," *Indian Country Today*, March 9, 2005, <https://ictnews.org/archive/mattaponi-crafter-continues-tradition-and-enjoys-hard-work>.

¹⁷⁸ Staff, "Mattaponi Indian Reservation 13th-Annual Powwow," *Newport News Daily Press* (Newport News, VA), June 20, 2008.

¹⁷⁹ Staff, "Free for All," *Newport News Daily Press* (Newport News, VA), June 15, 2009.

¹⁸⁰ Staff, "Guide to Powwow Country Calendar of Events," *Windspeaker*. June 2012.

¹⁸¹ Staff, "Guide to Powwow Country Calendar of Events," *Windspeaker*. 2016.

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Date	Excerpt
June 14, 2017	<p>The Mattaponi Indian Tribe is hosting its 22nd annual powwow Saturday with dancers, drummers and vendors to celebrate the group's rich history.</p> <p>Chief Mark Fallingstar Custalow [REDACTED] said the powwow will present an opportunity for county residents to get to know members of the tribe and learn about the culture in an immersive environment.</p> <p>"I think it really is, to me, just learning about different cultures," Custalow said.</p> <p>[...] Custalow said many people didn't know that with a contract dating back to 1658, the Mattaponi Indian Reservation is one of the country's first, predating the Declaration of Independence by more than 100 years.</p> <p>Gov. Terry McAuliffe's office confirmed he plans to make remarks at the grand entry.¹⁸²</p>
June 20, 2008	[...] The powwow will feature dancing, drumming, food and crafts [...] ¹⁸³
June 15, 2009	[...] the Powwow features American Indian dancing, drumming, food, arts and crafts. ¹⁸⁴

Historic Preservation and Cultural Education

Members of the Mattaponi Indian Tribe consistently worked to preserve their culture and educate non-members about tribal history and identity. This included the creation and use of distinctive cultural arts and crafts and as well as efforts to uphold Mattaponi cultural practices and represent them to the outside community. This period saw tribal members participate in the 400th anniversary of the Jamestown colony, during which several tribal members visited England for the commemoration. The period also involved the community's continued resistance to the proposed Newport News Reservoir, particularly on the grounds that construction would destroy historically and culturally significant landscapes and resources. Oral history interviews with contemporary tribal members outline these efforts.

B6-14. Community Activities, 2000-2019: Historic Preservation and Cultural Education in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	2000 ca.	<p>[REDACTED]: Did you ever represent the tribe at events in King William or elsewhere?]</p> <p>I did represent, I was in a parade at the Crab Carnival and it was to save the Mattaponi from them doing a reservoir down here. And yes, so I was in a parade with my sign, singing, save the Mattaponi.¹⁸⁵</p>
[REDACTED]	2001 ca.	[...] my [REDACTED] had a friend who was a professor at a college and he got with him, this was back in the early 2000s, and they put together some of our language. And he proceeded to make songs and drum with the Algonquian language mixed with the English. I remember him doing that. ¹⁸⁶
[REDACTED] [Eastern Chickahominy]	2006 ca.	Dad [REDACTED] sat with children in England talking about Mattaponi people and Mattaponi culture. Dad and I actually made native flutes for years before he passed. That was just special,

¹⁸² Williams, S., "Mattaponi powwow highlights culture," *The Virginia Gazette* (Williamsburg, VA), June 14, 2017.

¹⁸³ Staff, "Mattaponi Indian Reservation 13th-Annual Powwow," *Newport News Daily Press* (Newport News, VA), June 20, 2008.

¹⁸⁴ Staff, "Free For All," *Newport News Daily Press* (Newport News, VA), June 15, 2009.

¹⁸⁵ [REDACTED], "Interview: [REDACTED]," by [REDACTED], Mattaponi Indian Tribe, July 12, 2023, PDF Page 6.

¹⁸⁶ [REDACTED], "Interview: [REDACTED]," by [REDACTED], Mattaponi Indian Tribe, July 12, 2023, PDF Page 4.

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Interviewee	Date	Excerpt
		so he took parts and pieces of flutes and showed them how he made flutes and did all of that with them. ¹⁸⁷
	2006 ca.	I was able to, in 2006-7, I was able to be a part of the delegation that went to England for the tribe for the 350 th [sic] anniversary of Jamestown settlement. I got to go there with the other tribes in Virginia. We put on a few exhibitions of dancing and drumming and culture, went to different schools there in England. Went to Gravesend in Kent. Met with school children. Talk about our culture, talk about our history, talk about us today. Represented the tribe from that perspective, got to meet some of the world dignitaries and things like that while we were there. ¹⁸⁸
	2006 ca.	I've represented the tribe in England and Jamestown events for the 400th anniversary of Jamestown. When the National Smithsonian [National Museum of the American Indian] was first built, I was there to represent the Mattaponi tribe there as well. ¹⁸⁹ And there was a picture of me on the walls of the Smithsonian there. And they asked for me to show up for that opening and there. ¹⁹⁰
	2006 ca.	We went to the 2006 England event to represent the 400th anniversary. Gosh, we went to Jamestown last year. It's been a lot of places. I went to a couple schools in Richmond, Chesterfield County. When the kids were younger—was it third, fourth grade or so—and talked to the students. Then I went to one school here in Mechanicsville. That was like five years ago, to talk to the kids. It's so many places we've been. You know, just to represent Mattaponi. ¹⁹¹
	2006 ca.	Probably one of the big things is when Jamestown had their—I don't even want to call it a celebration, but I don't know what the proper word is—but I represented the tribe myself and other tribal members, we went to England and Gravesend. And, matter of fact, I did a honor song in Gravesend. That's where Pocahontas is buried at, and did a song there [...] in 2006, and we had events going for 2006, 2007, different things everywhere all over. We ended up having an event at Jamestown, too. The Queen came. She came also to Virginia and I represented there and we did some drumming and dancing for her at the state capitol. : Did other Mattaponi members go with you to England? Yes. Yes, it was the eight tribes we had represented, it ended up being fifty, fifty-five people altogether from the eight tribes. All the chiefs, I wasn't a

¹⁸⁷ , "Interview: ," by , Mattaponi Indian Tribe, November 27, 2023, PDF Page 9.

¹⁸⁸ Interview: " by , Mattaponi Indian Tribe, December 15, 2022. PDF Page 9.

¹⁸⁹ The NMAI was opened in 2004 (Institution, Smithsonian. "National Museum of the American Indian Opening Ceremony, September 21, 2004, Washington, DC." Smithsonian Institution. Accessed October 25, 2024.

https://www.si.edu/es/object/national-museum-american-indian-opening-ceremony-september-21-2004-washington-de%3Avt_X1BxMmXZEJ4.

¹⁹⁰ Interview: by Mattaponi Indian Tribe, August 22, 2023, PDF Page 9.

¹⁹¹ "Interview: ," by , Mattaponi Indian Tribe, April 20, 2023, PDF Page 8.

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Interviewee	Date	Excerpt
		chief at the time, I was an assistant chief, but what chiefs didn't go, the Assistant Chief went in their place, which I did for the Mattaponi." ¹⁹²

Media coverage from this period identifies cultural activities amongst the tribal community, including dance (November 26, 2010) and pottery making (October 21, 2004). These activities are particularly evident in the tribal culture classes hosted for tribal children (June 9, 2006), as well as community participation in demonstrations of traditional activities (July 27, 2000; June 5, 2002) and language revitalization efforts (December 14, 2006). Community members also educated non-members, including 4-H clubs (March 28, 2002) and local school groups (e.g., June 5, 2002; May 1, 2003).

B6-15. Community Activities, 2000-2019: Historic Preservation and Cultural Education in Other Sources.

Date	Excerpt
May 4, 2000	[...] Special features include presentations on Mattaponi Indian heritage (including a Long House). ¹⁹³
July 6, 2000	On Monday, July 17, Wicomico Parish Church on Route 200 in Wicomico Church will sponsor "Pocahontas' People, Past and Present" with Shirley "Little Dove" Custalow-McGowan [REDACTED] daughter of Chief Webster "Little Eagle" [REDACTED] of the Mattaponi Indian Reservation. [...] Shirley "Little Dove" and her son, Samuel "Opechancanough," [REDACTED] in traditional dress, will present the history and culture of eastern Woodland Indians. They will use artifacts to demonstrate the skills of their ancestors. A "longhouse" will be constructed as part of the educational aspect of the event. [...] Shirley "Little Dove" serves on the board of trustees for the Jamestown-Yorktown Foundation, the advisory board of the Virginia Historical Society, Colonial Williamsburg and Henricus College Inc. ¹⁹⁴
March 22, 2001	Cultural expert Shirley Little Dove Custalow McGowan [REDACTED] of the Mattaponi tribe helped students see the delicate link between society's needs (culture) and nature's capacity (science). [...] Following McGowan's opening remarks, students spent the rest of the day rotating between such activities as grinding corn, making stone tools, twisting rope, cooking succotash, playing a game of skill, drilling with a rope-powered drill and creating bone needles. They were assisted by McGowan's three adult sons, all of whom serve as cultural interpreters: Samuel Running Deer (Opechancanough) McGowan [REDACTED], James Falling Water McGowan [REDACTED] and Richard Red Hawk McGowan [REDACTED]. ¹⁹⁵
March 28, 2002	On Saturday, March 16, the Northumberland 4H Community Club learned about Virginia's native Americans and the history of King William County. The group of 12 4H'ers and three adults began with a history lesson from Minni HaHa Custalow [<i>sic</i> ; Minnie Ha-Ha; [REDACTED]] the great-

¹⁹ [REDACTED] Interview: [REDACTED] by [REDACTED], Mattaponi Indian Tribe, July 26, 2023, PDF Page 9-10.

¹⁹³ Staff, "May 15 is signup deadline for Yorktown workboat races," *Southside Sentinel* (Urbanna, VA), May 4, 2000.

¹⁹⁴ Staff, "Pocahontas' People' program to be held July 17 in Wicomico Church," *Rappahannock Record* (Kilmarnock, VA), July 6, 2000. See also: Staff, "Working with the earth," *Rappahannock Record* (Kilmarnock, VA), July 27, 2000.

¹⁹⁵ Staff, "Native American life is River Day focus at SMS," *Rappahannock Record* (Kilmarnock, VA), March 22, 2001.

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	great granddaughter of the Queen of the Pamunkey Tribe whose signature is on the 1677 Peace Treaty and who was the last woman ruler of the tribe. ¹⁹⁶
June 5, 2002	[...] The highlight of the unit will be a daylong visit by the Mattaponi Indian tribe members who will recreate an Indian village with longhouse, fishing display, hunting encampment and artifact exhibit. Students will be able to participate in hands-on activities in small groups. ¹⁹⁷
October 16, 2002	The Indians will set up camp for the day where they will demonstrate activities to include corn-grinding and stone-tool making. ¹⁹⁸
November 6, 2002	<p>It was an eye-opening experience for Windsor Elementary School students. They learned about life without grocery stores, ovens, computers or any of the other modern-day pleasures. Where basic survival needs dictate everyday life.</p> <p>[...] James "Fallingwater" McGowan [REDACTED] joined his mother [REDACTED] in the visit to Windsor. They set up stations in the school's gymnasium where they could offer bits and pieces of their culture. At one stop, children learned how Custalow McGowan used needles made of bone to make leather garments. To the right of her, James McGowan demonstrated how to sharpen stone into an axe-blade. ¹⁹⁹</p> <p>The Mattaponi Indians of West Point often still hunt for food, make weapons, clothing and tools by hand.²⁰⁰</p>
May 1, 2003	Shirley Little Dove Custalow McGowan [REDACTED] of the Mattaponi Indian tribe visited St. Catherine's on April 25th. She and two of her sons set up a mini-longhouse and a hunting and fishing encampment on the Green, and led students through exhibits and hands-on demonstrations. Ms. Custalow McGowan is the daughter and granddaughter of Mattaponi chiefs [REDACTED] and spends much of her time traveling around the region to tell her people's story. ²⁰¹
July 30, 2003	Members of the Mattaponi Indian tribe were on the grounds of the Smithfield Library sharing their customs with children on July 28. Above, Shirley "Little Dove" Custalow McGowan [REDACTED] of the Mattaponi Indian tribe shows a group of girls how to shuck corn. At right, tools used by the Mattaponi Indians are displayed. ²⁰²
October 14, 2003	Several other problems with the reservoir that opponents have made include the fact that the massive structure stands to flood 1,524 acres of land where the Mattaponi and the Pamunkey Indian tribes have historic and sacred sites. The city, in testing the area, admits it has found Colonial and American Indian historic sites. ²⁰³

¹⁹⁶ Staff, "4-H club members visit reservation, fish factory, courthouse," *Rappahannock Record* (Kilmarnock, VA), March 28, 2002.

¹⁹⁷ Staff, "Schools benefit from IP grants," *The Smithfield Times* (Smithfield, VA), June 5, 2002.

¹⁹⁸ Staff, "School Notes," *The Smithfield Times* (Smithfield, VA), October 16, 2002.

¹⁹⁹ Hugh Spain, "Mattaponi Share Heritage," *The Smithfield Times* (Smithfield, VA), October 16, 2002. See also: Staff, "School Notes," *The Smithfield Times* (Smithfield, VA), October 16, 2002. See also: Hugh Spain, "Mattaponi Share Heritage," *The Smithfield Times* (Smithfield, VA), October 16, 2002.

²⁰⁰ Hugh Spain, "Mattaponi Share Heritage," *The Smithfield Times* (Smithfield, VA), October 16, 2002.

²⁰¹ Staff, "Shirley Little Dove Custalow McGowan," *The St. Catherine School Arcadian* (Richmond, VA), May 1, 2003.

²⁰² Staff, "Sharing a culture," *The Smithfield Times* (Smithfield, VA), July 30, 2003. See also: Staff, "At your local library," *The Smithfield Times* (Smithfield, VA), July 16, 2003.

²⁰³ Bobbie Whitehead, "New judge denies Mattaponi Tribe right to fight city lawsuit over reservoir," *Indian Country Today*, October 14, 2003, <https://icnews.org/archive/new-judge-denies-mattaponi-tribe-right-to-fight-city-lawsuit-over-reservoir>.

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October 21, 2004	[...] The prizes for the raffle are works of art donated by the artists. [...] two pottery bowls made by hand from clay dug from the banks of the river on the Mattaponi reservation by "River Man" [REDACTED] and "Redwing" [REDACTED]. [...]
2006	[...] For the descendants of the Powhatan people and for other Indigenous communities, however, Pocahontas's London history can have entirely different valences. In 2006, for example, delegations from nine Virginia Indian tribes—the Chickahominy, the Eastern Chickahominy, the Mattaponi, the Upper Mattaponi, the Monacan, the Nansemond, the Pamunkey, and the Rappahannock—traveled to England to commemorate the delegation of 1616 and its most famous member. ²⁰⁵
March 9, 2005	<p>With a thread of sinew and a circular frame made from grapevines, "Edith "White Feather" Custalow Kuhns [REDACTED] weaves the webbing of a dream catcher.</p> <p>[...] Her beadwork includes floral patterns particular to the Woodland Indians, of which the Mattaponi are one tribe. But she said she likes doing all the different Indian patterns to see what she can do.</p> <p>She also makes medicine wheels, burden baskets, turtle purses, small spears, gourd rattles, turtle rattles, ceremonial pipes and pottery made with clay from the Mattaponi Indian Reservation in King William County, Va.</p> <p>[...] Any beadwork or items they had made, they gave away as gifts.²⁰⁶</p>
June 9, 2006	On the Mattaponi Indian Reservation, Virginia Indian leaders are trying to keep alive their vanishing history by offering Saturday cultural classes. Indian leaders like Gloria Custalow [REDACTED] say local youth are excelling in their Indian lessons and that replacing leatherwork with long division could cut student interest in half. "On Saturdays there will be students sitting on the steps waiting for the class to begin," she said. "You think a child is going to sit there and show that much interest in reading?" ²⁰⁷
December 14, 2006	<p>"Muh-shay-wah-NUH-toe, Chess-kay-dah-KAY-wak."</p> <p>In his house overlooking the silvery Mattaponi River, Ken Custalow [REDACTED] said the words over and over until it drove his wife crazy. Until she yelled from the next room: Have you memorized that thing yet? Custalow, 70, a member of the Mattaponi Tribe, was preparing to give a blessing at a powwow for Virginia Indians in England, part of events commemorating the 400th anniversary of the Jamestown Colony.</p> <p>[...] "It was absolutely awesome," Custalow said. "To think, 'Golly, here was the language that my people spoke."²⁰⁸</p>
May 26, 2007	<p>The eight chiefs of the state-recognized Virginia Indian tribes stood in line near the Capitol steps May 3, awaiting the visit of Queen Elizabeth II of England.</p> <p>The occasion made history since the event, set to coincide with the 400th anniversary of Jamestown's founding, included Virginia Indians as dignitaries invited to meet the queen</p>

²⁰⁴ Staff, "Raffle to Benefit Healing Eagle Clinic," *Glo-Quips* (Gloucester, VA), October 21, 2004.

²⁰⁵ Coll Thrush, *Indigenous London* (New Haven, CT: Yale University Press, 2016), 28.

²⁰⁶ Bobbie Whitehead, "Mattaponi crafter continues tradition and enjoys hard work," *Indian Country Today*, March 9, 2005, <https://icetnews.org/archive/mattaponi-crafter-continues-tradition-and-enjoys-hard-work>.

²⁰⁷ Staff, "Virginia tribes seek to preserve culture among youth," *The Sault Tribe News*, June 9, 2006.

²⁰⁸ Fahrenthold, D. A. (2006), "Old Indian language sees new life," *The Herald News* (Passaic, NJ).

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	<p>as well as the state's General Assembly - and marked the first time Virginia tribes were represented in a Jamestown anniversary.</p> <p>[...] Lynn Curry ██████████ of the Mattaponi Indian Tribe stood along the steps as Queen Elizabeth II walked by and Curry said she found the Virginia Indians' participation in the visit and commemoration exciting.</p> <p>"It's something we've never taken part in before and as First Virginians, for her to stop here on her trip, it's a privilege that we were able to take part in her visit," Curry said.</p> <p>[...] At the Anniversary Park section of the Jamestown 2007 Commemoration, several Virginia Indians Ken ██████████ and Mark Custalow ██████████ Mattaponi flute makers; George Whitewolf, a Monacan traditional clothier; and Mildred Gentle Rain Moore and Kevin Brown, Pamunkey potters, worked at the crafts tent where they demonstrated their crafts and answered questions by visitors curious about their culture.²⁰⁹</p>
September 4, 2008	<p>The covered marker had been placed on the stage where Deanna Beacham of the Virginia Council on Indians, author of the text of the marker, welcomed nearly 70 people, mostly Native Americans, only a few in regalia.</p> <p>She introduced distinguished guests, including Pamunkey Chief William Miles, Mattaponi Chief Carl Custalow ██████████ Upper Mattaponi Chief Kenneth Adams, Chickahominy Eastern Division Chief Gene Adkins and Upper Mattaponi Assistant Chief Frank Adams. [...]²¹⁰</p>
November 26, 2010	<p>[...] Still, they were able to watch as the chiefs presented McDonnell with pottery and other gifts and as members of the Mattaponi Tribe performed a traditional women's dance around the deer. [...]²¹¹</p>
November 15, 2012	<p>Gov. Bob McDonnell has signed a proclamation designating November as American Indian Heritage Month in Virginia. At the signing, the governor recognized Indians as Virginia's "first people" and an "integral part of our history." He signed the proclamation Nov. 9 at Virginia's annual tribal consultation meeting. Above, Gov. McDonnell, wearing yellow tie, stands with members of state-recognized Virginia tribes: [...] Chief Carl Custalow ██████████ Patawomeck Chief Robert Green, Monacan Chief Sharon Bryant and Chickahominy Assistant Chief Wayne Adkins.²¹²</p>
July 11, 2013	<p>On June 21, Mr. and Mrs. Ripley, and chiefs and representative of the remaining Powhatan tribes joined Gov. Bob McDonnell and other state officials in dedicated [<i>sic</i>. dedicating] Werowocomoco 'to permanent conservation in honor of Virginia's rich Indian past, present and future.'</p> <p>[...] Gov. McDonnell recognized the seven surviving Powhatan tribes and their chiefs: ██████████ ne Adkins, Eastern Chickahominy; Mark Custalow ██████████ Mattaponi; Barry Bass, Nansemond, unable to attend because of illness; Kevin Brown, Pamunkey; Ann Richardson, Rappahannock; and Ken Adams, Upper Mattaponi.²¹³</p>

²⁰⁹ Whitehead, B., "Inclusion of Virginia Indians in Jamestown anniversary makes history," *Indian Country Today*, May 26, 2007, <https://ictnews.org/archive/inclusion-of-virginia-indians-in-jamestown-anniversary-makes-history>.

²¹⁰ Crutchfield, F., "Unique Marker," *Richmond Free Press* (Richmond, VA), September 4, 2008.

²¹¹ Helderman, R. S., "Tribes' offering honors 1677 treaty," *The Arizona Republic* (Phoenix, AZ), November 26, 2010.

²¹² Staff, "Recognizing Virginias 'first people'," *Richmond Free Press* (Richmond, VA), November 15, 2012.

²¹³ Crutchfield, F., "Werowocomoco," *Richmond Free Press* (Richmond, VA), July 11, 2013.

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2018	There is a critique of the elite exchange model that also warrants consideration. Dr. Linwood "Little Bear" Custalow [REDACTED] is a member of the chiefly lineage of the Mattaponi Tribe of Virginia. He has been taught Mattaponi oral history by his fathers and uncles since he was a child. The Mattaponi were a polity within the Powhatan chiefdom, and through kinship they are closely tied to the Pamunkeys, Chief Powhatan's tribal home. The Custalow and Mattaponi oral history extends to the Jamestown era and beyond. Dr. Custalow joined with anthropologist Spelling L. Daniel "Silver Star" to record the oral history surrounding the specific events of the life of Pocahontas, famed daughter of Chief Powhatan, during the Jamestown colonial encounter (Custalow and Daniel 2007). One part of that indigenous narrative includes the taking, or kidnapping, of Pocahontas by the English and her delivery to the Algonquian Patawomeke [<i>sic</i> ; Patawomeck] polity." ²¹⁴
August 28, 2019	The Mattaponi people and myself worked hard in getting this land put into trust for future generations to enjoy," Custalow said. "We appreciate the governor's support in making this truly a monumental day in the history of our people." [...] By putting this additional acreage back into trust, the Commonwealth is taking a step towards rectifying the past when we allowed their reservation land to be encroached upon," Thomasson said. The reacquired land may be used for new housing construction as well as for fishing, hunting and trapping. ²¹⁵

Annual Tax Tribute

The Mattaponi Indian Tribe treaty tribute demonstrations at the Governor's Mansion, a tradition which dates back to the treaties of 1646 and 1677, continued throughout the 2000 to 2019 time period. The tribute constitutes a persistent and significant community event affirming the Tribe's treaty relationship and was highlighted often in news coverage.

B6-16. Community Activities, 2000-2019: Annual Tax Tribute.

Date	Excerpt
December 3, 2003	In an annual tax-offering ceremony dating back to the 17th century, the chiefs of two Native American tribes gave deer carcasses to Gov. Mark R. Warner. Chief Carl "Lone Eagle" Custalow of the Mattaponi tribe and Chief William P. "Swift Water" Miles of the Pamunkey tribe offered Warner their tributes Wednesday on the steps of the Executive Mansion. Warner then declared Nov. 26 the Day of the American Indians. The tribes have been making tax tributes to Virginia's government since 1677. ²¹⁶
November 26, 2010	In a ceremony that traces its roots to a 333-year-old treaty between Native Americans and the British crown, chiefs of the Mattaponi and Pamunkey Indian tribes gave Gov. Robert McDonnell two deer and a turkey in lieu of taxes. The animals were shot Tuesday on the tribes' reservations (the oldest reservations in the United States) in King William County and presented to the governor, trussed up on two tree boughs, on the brick driveway of the executive mansion in Richmond. "On behalf of the people of Virginia, I accept this tribute," McDonnell said, as Chief Carl Custalow [REDACTED] of the

²¹⁴ Hantman, J. L., "Monacan Millennium," (Charlottesville, VA: University of Virginia Press, 2018).

²¹⁵ Kolby Kickingwoman, "Tribe signs land trust agreement with Virginia," *Indian Country Today*, August 28, 2019, <https://icnews.org/news/tribe-signs-land-trust-agreement-with-virginia>. See also: Staff, "Virginia deal expands Mattaponi reservation," *The News-Press* (Fort Myers, FL), August 28, 2019. Staff, "Tribe's Chance to Convalesce," *Newport News Daily Press* (Newport News, VA), August 29, 2019.

²¹⁶ Staff, "Governor Presented with Deer," *The Smithfield Times* (Smithfield, Virginia), December 3, 2003.

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	Mattaponi and Chief Robert Gray of the Pamunkey presented the animals to McDonnell and his wife, Maureen... Still, they were able to watch as the chiefs presented McDonnell with pottery and other gifts and as members of the Mattaponi Tribe performed a traditional women's dance around the deer. ²¹⁷
November 23, 2012	An eight-point buck deer, lifted by tribal members Jacob Vincent Custalow Jr. [REDACTED] left, and Brandon Thunder Cloud Custalow [REDACTED] right, is presented to Virginia Gov. Bob McDonnell and First Lady Maureen McDonnell by Chief Carl Custalow [REDACTED] center, leader of the Mattaponi Indian tribe, at the Executive Mansion on Wednesday in Richmond, Va. ²¹⁸ [...]
November 24, 2016	Mattaponi tribe member Ethan "Little Bear" Sanchez [REDACTED] left, and Virginia Gov. Terry McAuliffe, right, check out a whitetail buck presented by the tribe in front of the Executive Mansion in Richmond on Wednesday during the 339th annual Virginia Indian Tax Tribute ceremony. In lieu of paying taxes, the Virginia Native American tribes present the governor with an offering of wild game, pottery and crafts, according to an original treaty. ²¹⁹

Conclusion

Throughout the early 2000s and 2010s, the Mattaponi community was active. Community events such as the annual powwow reflected and reinforced the presence of “social relationships connecting individual members” (83.11 (b)(1)(ii)) and “patterns of informal social interaction” (83.11 (b)(1)(iii)). The coordination to protect tribal fishing practices and the organization of community-wide events demonstrate the existence of “shared or cooperative labor” among Mattaponi Indian Reservation residents (83.11 (b)(1) (iv)), and the traditions of Homecoming and the annual tax tribute represent “shared sacred or secular ritual activity” (83.11 (b)(1)(vi)). The evidence in this section also underscores the “persistence of a collective identity” (83.11 (b)(1)(viii)) among the Mattaponi.

Distinction and Discrimination

Throughout the 2000s and 2010s, the Mattaponi Indian Tribe continued to be distinguished as a separate group with a distinct identity by members of the Tribe (e.g., March 6, 2000; March 22, 2001) and nonmembers including scholars (e.g., Cook 2003), journalists (e.g., January 18, 2018), and other governments (December 21, 2005; August 29, 2019).

B6-17. Distinction and Discrimination, 2000-2019.

Date	Excerpt
March 6, 2000	<p>Carl Custalow [REDACTED] assistant chief of the Mattaponi Tribe, believes that federal recognition is due.</p> <p>We were one of the first tribes to ever sign a treaty [with England], to come in contact with Europeans,” Custalow said.</p> <p>[...] “The Mattaponi interest is to preserve our heritage and culture. We don’t want to be known as Casino-land,” the Mattaponi’s Custalow said about gaming sales pitches that his tribe turned away.²²⁰</p>

²¹⁷ Helderman, Rosalind S., “Tribes' Offering Honors 1677 Treaty,” *The Arizona Republic* (Phoenix, Arizona), November 26, 2010.

²¹⁸ Staff, “Venison for Taxes,” *Enterprise-Journal* (McComb, Mississippi), November 23, 2012.

²¹⁹ Brown, B., “An Offering for the State,” *The Daily News Leader* (Staunton, Virginia), November 24, 2016.

²²⁰ Hardin, P., “Seeking Sovereignty, Indians Face Barriers,” *Suffolk News-Herald* (Suffolk, VA), March 6, 2000.

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Date	Excerpt
March 22, 2001	Respect is the foundation of Mattaponi society, she added. Every member, however young or old, is valued. ²²¹
May 25, 2001	<p>To the 62 Mattaponi Indians who live on its banks the Mattaponi River is an ancient birthright, but to government officials downstream, it may a way to bring water to a thirsty, growing region of 450,000.</p> <p>[...] The history here is painful and often invoked. The Mattaponi are descendants of the legendary Chief Powhatan, father of Pocahontas and ruler of the Chesapeake Bay region when English settlers first arrived at Jamestown in 1607. All they have left is a 150-acre reservation with 23 homes, a fish hatchery, a Baptist church and the river for which they are named.</p> <p>[...] said Carl Lone Eagle Custalow [REDACTED] assistant chief of the Mattaponi. "Whoever controls water in an area controls everything else."²²²</p>
2003	Even the two Virginia tribes who have maintained reservations - the Pamunkey and Mattaponi - were subject to a virtual witch hunt that lasted the better part of the 20th century. ²²³
December 21, 2005	<p>[...] The two remaining Virginia tribes, which aren't members of the Alliance, are the Mattaponi and Pamunkey. These "first Americans" have had reservations assigned to them dating back to 1646.</p> <p>The Mattaponi and Pamunkey Indians are the ones who annually present fish and game to the governor of Virginia each November in lieu of taxes to commemorate a 328 (1677) year-old treaty between the Indians and white Europeans who settled Virginia and named it "Virginia" in honor of the Virgin Queen, Queen Elizabeth I.²²⁴</p>
2008	<p>The Mattaponi are one of the remaining tribes of the Powhatan Confederacy, and, Custalow [REDACTED] tells us, clandestine keepers of historical knowledge for the Powhatan nation.</p> <p>[...] The Mattaponi tribe was part of the original Powhatan Confederacy, and is one of only eight state recognized tribes in modern-day Virginia. They and the Pamunkey are the only tribes to have kept reservation land in Virginia. Furthermore, the Mattaponi "have also maintained an unbroken peace treaty with the Commonwealth of Virginia since 1646."²²⁵</p>
February 11, 2015	<p>[...] their Mattaponi Reservation; a reservation established in the 1600s by the British Crown which has been continually inhabited ever since.</p> <p>[...] Today, the reality is that eight of the nation's oldest reservations are inhabited by historic nations who are somehow non-existent on the BIA list of tribes. These include the Pamunkey and Mattaponi Reservations.²²⁶</p>
January 18, 2018	[...] The Mattaponi Indians, the other Virginia tribe with a reservation dating back to the colonial era, are pursuing recognition through the Bureau of Indian Affairs, having long ago given up on getting recognition from Congress. ²²⁷

²²¹ Staff, "Native American life is River Day focus at SMS," *Rappahannock Record* (Kilmarnock, VA), March 22, 2001.

²²² Staff, "Field Notes," *Suffolk News-Herald* (Suffolk, VA), May 25, 2001.

²²³ Cook, Samuel, "Anthropological Advocacy in Historical Perspective: The Case of Anthropologists and Virginia Indians," *Human Organization* 62, no. 2 (2003): 11.

²²⁴ Staff, "Outdoors With Bill Anderson," *The Lebanon News* (Lebanon, VA), December 21, 2005.

²²⁵ Ross, A. M., "The Princess Production: Locating Pocahontas in Time and Place" (PhD dissertation, University of Arizona, 2008).

²²⁶ Sunray, C., "Indian Country Influenced by Attitudes from the Old South," *Indian Country Today*, Digital.

²²⁷ Staff, "6 Virginia tribes set for federal recognition," *Richmond Free Press* (Richmond, VA), January 18, 2018.

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Date	Excerpt
August 29, 2019	<p>[...] Yet, the Mattaponi are not among the nearly 570 tribes nationwide recognized by the federal government. The designation is important because it would make the Mattaponi eligible for financial aid through the U.S. Bureau of Indian Affairs.</p> <p>[...] For the Mattaponi, state-sponsored oppression and a lack of funding created hurdles that have so-far been insurmountable for the tribe to clear without assistance.</p> <p>It would behoove state officials to assist the Mattaponi with its efforts at federal recognition. Expanding the tribe's reservation is a good start toward better relations.</p> <p>"By putting this additional acreage back into trust, the commonwealth is taking a step towards rectifying the past when we allowed their reservation land to be encroached upon," Secretary of the Commonwealth Kelly Thomasson noted during this week's announcement.</p> <p>[...] The Mattaponi provide clear benefits to both the King William community where they reside as well as the commonwealth as a whole.²²⁸</p>

Conclusion

The evidence above demonstrates that the Mattaponi Indian Tribe was distinguished from the surrounding communities, showing “strong patterns of discrimination and other patterns of distinction by non-members” (83.11 (b)(1)(v)), particularly in media coverage throughout the period. That members of the Mattaponi Indian Tribe considered themselves a distinct social and political entity is also evident, as they represented themselves to journalists and the government of Virginia. These actions demonstrate the continued existence of a “collective identity” (83.11 (b)(1)(viii)). Finally, outsiders directly observed the community maintaining a geographic core on the Mattaponi Indian Reservation (83.11(b)(1)(ix)) and “distinct cultural patterns” (83.11 (b)(2)(iii)) among the Mattaponi between 1980 and 1999.

Evidentiary Applicability

Based on the evidence presented above, the Mattaponi Indian Tribe fulfills the requirements of Criterion 83.11 (b)(1) throughout the period from 2000 to 2019.

²²⁸ Staff, “Tribe's Chance to Convalesce,” *Newport News Daily Press* (Newport News, VA), August 29, 2019.

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7. Criterion (b): 2020 to Present

Introduction

From 2020 until the fall of 2024, evidence demonstrates that the Mattaponi Indian Tribe comprised a distinct community “with consistent interactions and significant social relationships within its membership” in fulfillment of 25 CFR 83.11 (b). “Social relationships connecting individual members” (83.11 (b)(1)(ii)) and “patterns of informal social interaction” (83.11 (b)(1)(iii)) include those interactions fostered by tribal institutions such as the Mattaponi Indian Baptist Church and tribal events such as annual Homecoming services and the Tribe’s annual powwow. The Mattaponi Indian Tribe engaged in “cooperative labor or other economic activity among members” during this period (83.11 (b)(1)(iv)), including efforts to maintain its institutions, develop community-wide, grant supported social programs, and participate in activities related to federal acknowledgment. “Strong patterns of discrimination or other social distinctions by non-members” (83.11 (b)(1)(v)) are evident in the writings of journalists who distinguished the Mattaponi Indian Tribe and the Mattaponi Indian Reservation from surrounding communities. The tribal community engaged in “shared...ritual activity” (83.11 (b)(1)(vi)) through the Mattaponi Indian Baptist Church, which is one of several “cultural patterns shared among a portion of the entity that are different from those of the non-Indian populations with whom it interacts” (83.11 (b)(1)(vii)). The Tribe’s significant, collaborative efforts to preserve and share their culture and history confirm the “persistence of a collective identity” (83.11 (b)(1)(viii)), and the geographic clustering of Mattaponi families and community activities on the Mattaponi Indian Reservation demonstrate the reservation’s continued occupation and use (83.11 (b)(1)(ix)). This period also provides evidence relevant to Criterion 83.11 (b)(2), including significant numbers of tribal members who resided on the Mattaponi Indian Reservation (83.11 (b)(2)(i)), maintained distinct cultural patterns (83.11(b)(2)(iii)), and retained distinct social and cultural institutions (83.11(b)(2)(iii)).

Generational Snapshot

In the period from 2020 to the present, the Mattaponi Indian Tribe has been made up of ~434 known community members, of which 381 are actively enrolled. The community is made up of direct descendants of the Historical Indian Tribe described in Section II: Historical Mattaponi Indian Tribe who have remained connected to the tribal community. The core community consists of those tribal members who live on or near the Mattaponi Indian Reservation. Family groupings at this time included but were not limited to the following surnames: *Allmond, Custalow, Langston, Collins, Major, and Myers*.

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*B7-1. Generational Snapshot, 2020-Present: Known Community Individuals.*¹

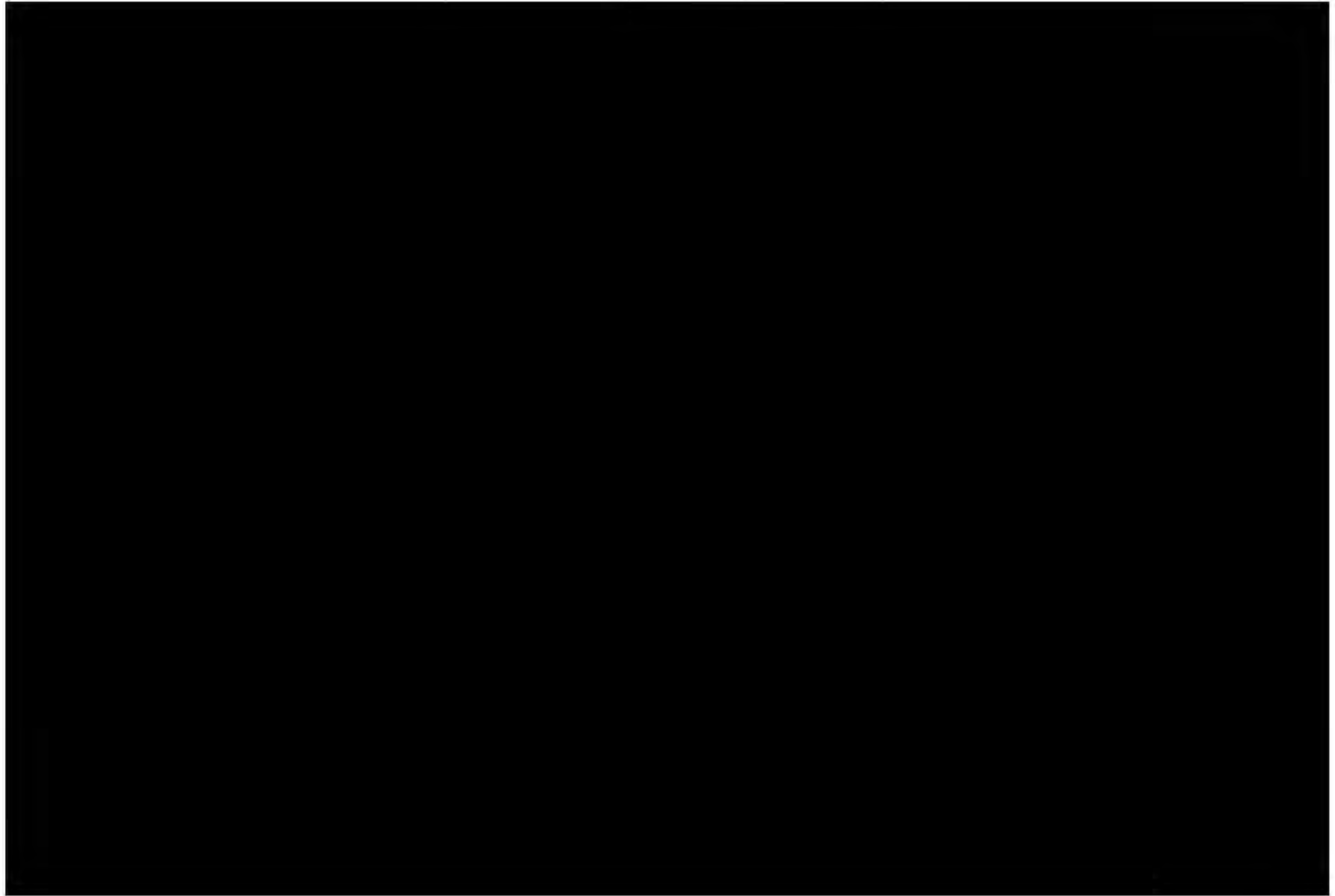
Known Community Individuals, 2020-Present



¹ Data based on the Mattaponi Indian Tribe's Family Tree Maker database.

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Known Community Individuals, 2020-Present



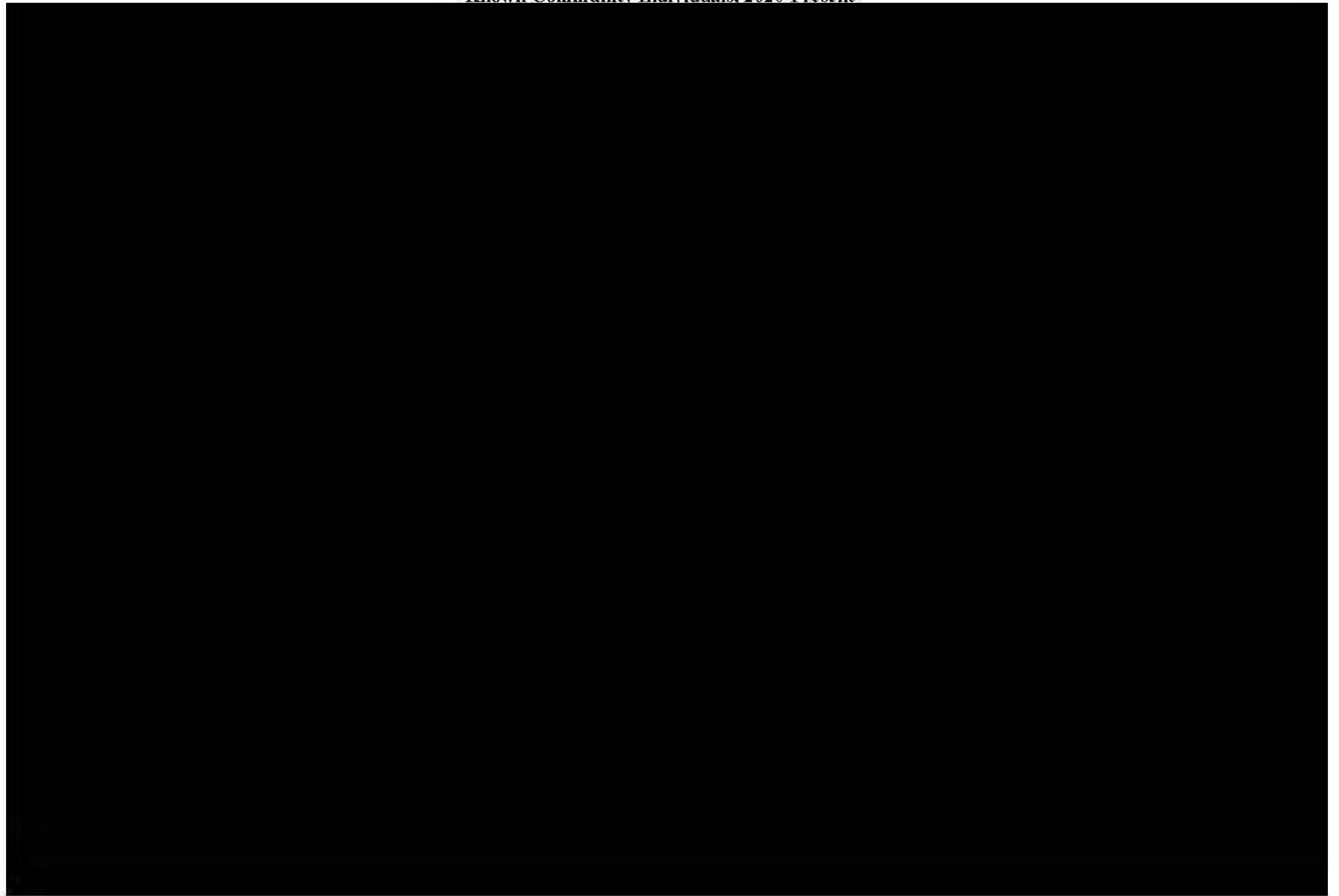
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Known Community Individuals, 2020-Present



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Known Community Individuals, 2020-Present



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Known Community Individuals, 2020-Present



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Geographic Situation

The Mattaponi community remained centered on and around the Mattaponi Indian Reservation in King William County, Virginia, throughout the period from 2020 to Present. Media sources repeatedly identify the existence and location of the Mattaponi Indian Reservation, including coverage of the Tribe’s land trust agreement (October 12, 2020) which notes that the agreement nearly doubles the size of the Mattaponi Reservation.

B7-2. Additional Geographic Evidence, 2020-Present in Published Sources.

Date	Excerpt
September 27, 2020	Dawn Custalow ██████████ an English language learner teacher who lives in Roanoke, is a tribal member of the Mattaponi tribe whose reservation is located in West Point. ²
October 12, 2020	[...] signed a land trust agreement that transferred more than 100 acres to the Mattaponi Indian Tribe, which nearly doubled the size of their reservation in King William County. ³
September 22, 2021	Shirley "Little Dove" Custalow McGowan ██████████ entered eternal rest on September 13, 2021 at the age of 78. Little Dove was born on March 1, 1943 to the late Chief Webster "Little Eagle" Custalow ██████████ and Mary Lee "White Feather" Adams Custalow on the Mattaponi Indian Reservation in King William County, VA, one of the oldest reservations in the country (1646). [...] Shirley was educated on the Mattaponi Indian Reservation and accepted Christ at an early age while attending Mattaponi Indian Baptist Church. ⁴
November 25, 2021	The Pamunkey and Mattaponi reservations are located on opposite sides of King William County, along the respective rivers named for their tribes. ⁵
December 31, 2021	A Mattaponi, McGowan ██████████ was born on the tribe's King William County reservation. ⁶
April 30, 2022	The Mattaponi are located on a 150-acre reservation that stretches along the borders of the Mattaponi River at West Point in King William County. ⁷
December 14, 2022	Mr. Custalow's obituary states: "Mr. Custalow ██████████ was a member of the Mattaponi Tribe in King William County." ⁸
November 22, 2023	[...] Mattaponi Chief Mark Custalow Wednesday before presenting Gov. Glenn Youngkin with a seven-point buck shot on the tribe's reservation in King William County. ⁹

² Custalow, D. "First Nations still overlooked," *Virginian Pilot* (Norfolk, VA), September 27, 2020.

³ Ress, D. "Land for new Gloucester state park is transferred," *Newport News Daily Press* (Newport News, VA), October 12, 2020.

⁴ Staff, "Shirley "Little Dove" Custalow McGowan," *Newport News Daily Press* (Newport News, VA), September 22, 2021. See also: Staff, "Shirley Little Dove Custalow McGowan," *The Virginia Gazette* (Williamsburg, VA), September 22, 2021.

⁵ Kolenich, E, "Some allege racism, sexism in leadership of 2 tribes," *Richmond Times Dispatch* (Richmond, VA), November 25, 2021.

⁶ Schapiro, J., "Remembering notable figures in Virginia politics we lost this year," *Richmond Times Dispatch* (Richmond, VA), December 31, 2021.

⁷ Martin, A. J. "Mattaponi tribal councils fight for leadership," *The Virginia Gazette* (Williamsburg, VA), April 30, 2022. See also: Staff, "Role of indigenous people," *Virginian Pilot* (Norfolk, VA), October 9, 2022.

⁸ Staff, "Custalow David W.," *Richmond Times Dispatch* (Richmond, VA), December 14, 2022.

⁹ Vogel song, Sarah. 2023, "For 346th year, Virginia tribes present governor with a tribute of game," *Virginia Mercury*. <https://viriniamercury.com/2023/11/22/for-346th-year-virginia-tribes-present-governor-with-a-tribute-of-game/>.

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Conclusion

These sources demonstrate that a significant portion of the known Mattaponi tribal members live “in a geographical area exclusively or almost exclusively composed of members of the entity...” (83.11 (b)(2)(i)). This continued geographic clustering reinforces “social relationships connecting individual members” (83.11 (b)(1)(ii)), “rates or patterns of informal social interaction that exist broadly among the members of the entity” (83.11 (b)(1)(iii)), and “shared or cooperative labor or other economic activity among members” (83.11 (b)(1)(iv)) throughout this period.

Community Ties

The Mattaponi Indian Tribe continues to show growth, providing additional evidence for social ties and continuity along established lines of Mattaponi descent. The vital records cited below detail the years and places of birth of the ~23 known community members between 2020 and the present, showing the continued clustering of the Mattaponi community near the Mattaponi Indian Reservation in King William County.¹⁰

B7-3. Community Ties, 2020-Present: Birth Events.

Parents	Total	Individuals	Year	Reference
[REDACTED]	1	[REDACTED]	2021	York, VA ¹¹
[REDACTED]	2	[REDACTED]	2021	Tokyo, Japan ¹²
[REDACTED]	1	[REDACTED]	2023	Charleston, NC ¹³
[REDACTED]	1	[REDACTED]	2023	Henrico, VA ¹⁴
[REDACTED]	1	[REDACTED]	2024	Henrico, VA ¹⁵
[REDACTED]	1	[REDACTED]	2022	Chesterfield, VA ¹⁶
[REDACTED]	2	[REDACTED]	2020	Henrico, VA ¹⁷
[REDACTED]		[REDACTED]	2022	Chesterfield, VA ¹⁸

¹⁰ Please note that in some cases, the birth certificates of individuals known to have been born on the Mattaponi Indian Reservation state they were born in King William County, which surrounds the Reservation. In these cases, the petition narrative and Family Tree Maker database cite the source that specifies a birth took place on the Reservation in addition to the birth certificate.

¹¹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, York County, [REDACTED]

¹² Consular Report of Birth Abroad (U.S. Department of State), Birth Record of the United States of America, Japan, Tokyo, [REDACTED]

¹³ South Carolina Birth Records (State of South Carolina), South Carolina Birth Certificate, Charleston County, [REDACTED]

¹⁴ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

¹⁵ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

¹⁶ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED]

¹⁷ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

¹⁸ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED]

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Parents	Total	Individuals	Year	Reference
[REDACTED]	1	[REDACTED]	2022	Henrico, VA ¹⁹
[REDACTED]	1	[REDACTED]	2022	Chesterfield, VA ²⁰
[REDACTED]	1	[REDACTED]	2020	Montgomery, PA ²¹
[REDACTED]	1	[REDACTED]	2023	Newport News, VA ²²
[REDACTED]	1	[REDACTED]	2024	York, VA ²³
[REDACTED]	1	[REDACTED]	2020	Hanover, VA ²⁴
[REDACTED]	1	[REDACTED]	2021	Greenbrier, WV ²⁵
[REDACTED]	1	[REDACTED]	2022	Stafford, VA ²⁶
[REDACTED]	1	[REDACTED]	2020	Charlottesville, VA ²⁷
[REDACTED]	1	[REDACTED]	2021	Chesterfield, VA ²⁸
[REDACTED]	2	[REDACTED]	2020 2022	Myrtle Beach, SC ²⁹ Myrtle Beach, SC ³⁰

¹⁹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Henrico County, [REDACTED]

²⁰ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED]

²¹ Pennsylvania Birth Records (Commonwealth of Pennsylvania), Pennsylvania Birth Certificate, Montgomery County, [REDACTED]

²² Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Newport News, [REDACTED]

²³ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, York County, [REDACTED]

²⁴ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED]

²⁵ [REDACTED] Birth Certificate, Greenbrier County, [REDACTED]

²⁶ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Stafford County, [REDACTED]

²⁷ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Charlottesville, [REDACTED]

²⁸ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Chesterfield County, [REDACTED]

²⁹ South Carolina Birth Records (State of South Carolina), South Carolina Birth Certificate, Horry County, [REDACTED]

³⁰ South Carolina Birth Records (State of South Carolina), South Carolina Birth Certificate, Horry County, [REDACTED]

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Parents	Total	Individuals	Year	Reference
[REDACTED]	1	[REDACTED]	2020	Hanover, VA ³¹
[REDACTED]	1	[REDACTED]	2024	Hanover, VA ³²
[REDACTED]	1	[REDACTED]	2021	Philadelphia, PA ³³

Conclusion

The Mattaponi Indian Tribe continues to have a strong cultural and institutional core centered on the Mattaponi Indian Reservation. The vital records from this period link contemporary tribal members to their antecedents and show continued clustering of community members near the Reservation, which resulted from and facilitated social relationships (83.11 (b)(1)(ii)), informal social interaction (83.11 (b)(1)(iii)), and the “persistence of a collective identity” (83.11 (b)(1)(viii)) among Mattaponi people.

Community Institutions and Organizations

From 2020 through the present, members of the Mattaponi Indian Tribe continue to maintain community ties through distinctly Mattaponi institutions. The maintenance of tribal institutions reflects tribal understandings of how important such institutions are to linking the present community to the past and strengthening the bonds between community members. Institutional maintenance also constitutes an important form of cooperative labor. Another central tribal institution throughout this period was the tribal government, whose activities regularly enriched the lives of tribal members both on and off the reservation. The tribal government and its activities are detailed in Section IV, Part C of this petition.

Mattaponi Indian Baptist Church

The Mattaponi Indian Baptist Church continues to be a central institution for the Mattaponi Indian Tribe. Oral history interviews detail how, in addition to regular Sunday services the Mattaponi Indian Baptist Church engages young Mattaponi tribal members in weekly youth groups and continues to host the annual Homecoming event which tribal members living outside of the immediate vicinity of the reservation often attend.

B7-4. Community Institutions and Organizations, 2020-Present: The Mattaponi Indian Baptist Church in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	July 5, 2023	[REDACTED] my youngest, attends the youth group, which is Wednesdays at the church here on the reservation. ³⁴
[REDACTED]	August 31, 2023	[...] like we had homecoming last Sunday, everybody would meet around the church and all the families, grandkids, the families that live in Richmond,

³¹ Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County, [REDACTED]

³² Virginia Birth Records (Commonwealth of Virginia), Virginia Birth Certificate, Hanover County [REDACTED]

³³ Pennsylvania Birth Records (Commonwealth of Pennsylvania), Pennsylvania Birth Certificate, Philadelphia County, [REDACTED]

³⁴ [REDACTED] “Interview: [REDACTED],” by [REDACTED], Mattaponi Indian Tribe, July 5, 2023, PDF Page 15.

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Interviewee	Date	Excerpt
		Hampton, Norfolk, wherever they are from, they would come down here and meet. ³⁵

During this period, notable Mattaponi interpreter and cultural educator Shirley “Little Dove” Custalow McGowan passed away. Her obituary and services in her memory highlighted the Mattaponi Indian Baptist Church’s influential role in her life and illustrating its ongoing import as a gathering space for celebration and remembrance:

Little Dove was born on March 1, 1943 to the late Chief Webster "Little Eagle" Custalow [REDACTED] and Mary Lee "White Feather" Adams Custalow on the Mattaponi Indian Reservation in King William County, VA, one of the oldest reservations in the country (1646). [...] Shirley was educated on the Mattaponi Indian Reservation and accepted Christ at an early age while attending Mattaponi Indian Baptist Church. [...] A graveside funeral service will be held at 12 noon, Saturday, September 25th at Mattaponi Indian Baptist Church Cemetery [...].³⁶

As in previous periods, Dover Association records demonstrate the Mattaponi community’s regular participation in the church. This includes a community member, [REDACTED] serving as clerk of the church from 2020 to 2021, after which records are not yet available. The minutes record total church membership as 56 in 2021. This is equal to the total membership recorded in 2019 and higher than in the years immediately prior, showing persistence of the institution through the COVID-19 pandemic.³⁸

Mattaponi Hatchery

The Mattaponi Hatchery has continued to operate to the present day, supporting the local shad population. Oral history interviews show that the building is maintained by the Tribe, and plans are in place to protect the operation from environmental concerns. For additional information about the Mattaponi Tribal Council’s administration of the Mattaponi Hatchery, please see Criterion (c), Political Authority (2020 to Present) which contains evidence from tribal meeting minutes that shows Council’s ongoing efforts to fund, insure, and maintain the hatchery.

B7-5. Community Institutions and Organizations, 2020-Present: Mattaponi Hatchery in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	August 17, 2023	The tribe maintains utilities there, the lights, the electrical. The hatchery, the tribe has utilities and electrical there. ³⁹

³⁵ [REDACTED] “Interview [REDACTED]” by [REDACTED], Mattaponi Indian Tribe, July 5, 2023, PDF Page 3.

³⁶ Staff, “Shirley "Little Dove" Custalow McGowan,” *Newport News Daily Press* (Newport News, VA), September 22, 2021. See also: Staff, “Shirley Little Dove Custalow McGowan,” *The Virginia Gazette* (Williamsburg, VA), September 22, 2021.

³⁷ The Dover Association Minutes record [REDACTED] using her married name and misspelling her first name. Dover Baptist Association 2021 Annual Meeting Minutes, 24 October 2021, Digital Tribal Archive, Dover Minute Books, PDF Page 3.

³⁸ Dover Baptist Association 2019 Annual Meeting Minutes, 27 October 2019, Digital Tribal Archive, Dover Minute Books, PDF Page 5; Dover Baptist Association 2020 Annual Meeting Minutes, 25 October 2020, Digital Tribal Archive, Dover Minute Books, PDF Page 4; Dover Baptist Association 2021 Annual Meeting Minutes, 24 October 2021, Digital Tribal Archive, Dover Minute Books, PDF Page 6.

³⁹ [REDACTED] “Interview: [REDACTED] Part Two,” By [REDACTED], Mattaponi Indian Tribe, August 17, 2023, PDF Page 13.

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[REDACTED]	July 28, 2023	With this saving the shoreline situation we got going on, which we're really, really thankful for that. And because inevitably you can see the erosion that's been happening over the years. So, that's going to help. Trying to get this hatchery back up and running correctly. I'm looking forward to that. ⁴⁰
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Mattaponi Indian Museum

Oral history interviews reflect the continuing centrality of the Mattaponi Indian Museum as a repository of tribal history:

The museum was started in my grandfather's [REDACTED] living room with artifacts and things of that nature that he had, and then they erected the building beside it and then added on to it when more artifacts were found around here on the reservation itself. So, my grandfather, [REDACTED] is the one who started the museum and [REDACTED] also, he was the chief here, too. He had some things and he had a whole country store around here. He had some things in there also. And upon his death, before he passed, he gave what he had to my grandfather. Now the museum is mainly taken care of by two families. It's my Uncle [REDACTED] he's passed, and our family are the ones that kind of take care of it now.⁴¹

The Museum opens to tribal members and the outside groups by appointment, and it opens its doors to the public during important tribal events like the annual powwow.⁴² The continued care of the Mattaponi Indian Museum constitutes an important form of cooperative labor focused on the preservation of tribal history within the community.

Conclusion

The institutions and organizations listed above were a product of and reinforced the “social relationships connecting individual members” (83.11 (b)(1)(ii)) and “rates or patterns of informal social interaction” (83.11 (b)(1)(iii)). The ongoing operation of these institutions required “shared or cooperative labor” (83.11 (b)(1)(iv)), and the church continued to provide “shared sacred or secular ritual activity” (83.11 (b)(1)(vi)). The existence of such sites on the Mattaponi Indian Reservation indicates the “persistence of a collective identity” (83.11 (b)(1)(viii)) and constitute “distinct community social institutions” (83.11 (b)(2)(iv)) in fulfillment of Criterion (b) of 25 CFR 83.11.

Community Activities

From 2020 to the present, the Mattaponi community has consistently participated in community activities that help to further connect individual tribal members and preserve the Tribe’s history and culture. These include social and spiritual activities, such as Homecoming and annual powwow, and cultural events with the public that commemorate the Tribe’s role in the history of the Commonwealth or affirm the Tribe’s treaty relationship with the government of Virginia.

⁴⁰ [REDACTED] “Interview: [REDACTED]” By [REDACTED], Mattaponi Indian Tribe, July 28, 2023, PDF Page 22.

⁴¹ [REDACTED] “Interview: [REDACTED],” By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, July 26, 2023, PDF Page 5.

⁴² Personal Communication, [REDACTED] October 23, 2024.

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Annual Homecoming

Annual Homecoming activities continue in the present period and function as one way that the Mattaponi Indian Baptist Church fosters community cohesion. Contemporary oral history interviews highlight Homecoming as a focal point of the community.

B7-6. Community Activities, 2020-Present: Annual Homecoming in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	July 26, 2023	[REDACTED] Did the tribal leadership preside over community events? Yes. They're involved some kind of way. You know, to this day, our homecoming, I myself, I'm there, and there's councilmen to come to the homecoming, powwow, to other events that we have. Just simple things like Fourth of July, you know, there's people that come over to support, so just different things. ⁴³
[REDACTED]	August 31, 2023	[...] like we had homecoming last Sunday, everybody would meet around the church and all the families, grandkids, the families that live in Richmond, Hampton, Norfolk, wherever they are from, they would come down here and meet. This whole reservation would be packed. We would have Vincent's crew over here. And after the homecoming, playing music and stuff like that, people walk around and visit each other and talk. ⁴⁴
[REDACTED]	September 12, 2023	I come to most of our events that we have here. Powwow, our homecoming. ⁴⁵

Annual Powwow and Other Social Events

The Mattaponi Indian Tribe frequently gathers as a community, formally and informally. In oral history interviews, members of the Mattaponi Indian Tribe reflect on social aspects of life on the reservation, including events like the annual Mattaponi powwow, Tribal Appreciation Day celebrations held on the Fourth of July, and other gatherings.

B7-7. Community Activities, 2020-Present: Annual Powwow and Other Social Events in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	July 12, 2023	Well, this year was our twenty-fifth powwow. Twenty-five years ago, I was involved in starting that powwow. I was in that kitchen cooking and planning the day and out there setting up. So that was my big thing. Always participating in anything. And when [REDACTED] had her little table of pottery, I would go over there and help her and sign in people. ⁴⁶
[REDACTED]	August 22, 2023	We definitely have more tribal events for the community now, maybe in the last five or so years. Maybe ten years, where we'd have some gatherings. Two or three years ago, I was teaching dance classes there. [REDACTED]

⁴³ [REDACTED] "Interview: [REDACTED] By [REDACTED] Mattaponi Indian Tribe, July 26, 2023, PDF Page 3.

⁴⁴ [REDACTED] "Interview: [REDACTED] By [REDACTED] Mattaponi Indian Tribe, July 5, 2023, PDF Page 3.

⁴⁵ [REDACTED] "Interview: [REDACTED] By [REDACTED] Mattaponi Indian Tribe, September 12, 2023, PDF Page 19.

⁴⁶ [REDACTED] "Interview: [REDACTED] By [REDACTED] Mattaponi Indian Tribe, July 12, 2023, PDF Page 9.

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Interviewee	Date	Excerpt
		████████████████████ and I did that for a bit. It's mostly our powwows. ⁴⁷
██████████	August 31, 2023	Different functions down here, 4th of July. That's one thing, too, I like what ██████████ doing with that. ⁴⁸ Having different functions down here, it brings people back together. ⁴⁹

Newspapers regularly noted the Tribe's powwow. These articles acknowledge the Mattaponi Indian Reservation, describe the cultural activities central to the annual event, and reflect the Tribe's goal of fostering community ties by hosting it (June 17, 2024).⁵⁰

B7-8. Community Activities, 2020-Present: Annual Powwow and Other Social Events in Newspapers.

Date	Excerpt
June 28, 2023	The Mattaponi Tribe and Reservation held its 25th Pow Wow on Father's Day weekend, marking a record attendance level. The June 17 Pow Wow at the King William County reservation featured Native American dancing, drumming, artisans, food and more. Organizers estimated more than 2,000 people stopped by during the event, including Virginia Lt. Gov. Winsome Earle-Sears. ⁵¹
June 17, 2024	The Mattaponi Indian Tribe and Reservation held its 26th Annual Pow Wow on Saturday. The pow wow is a significant cultural event, celebrating the King William County tribe's Native American heritage and traditions. The gathering was attended by tribe members as well as the community and featured dance, music, arts and crafts, food, and cultural exhibitions. According to the tribe's website, the pow wow "serves as a time for our tribal and community members to come together, reconnect with our roots, and share our traditions with others." ⁵²

Historic Preservation and Cultural Education

Historic preservation efforts have continued through the present decade. This has included efforts to revitalize the Powhatan Algonquian language and the implementation of cultural classes on the reservation. Tribal members engaged in intertribal and nontribal educational efforts during this period, notably the historical interpretation of the Machicomoco State Park site⁵³ and the Powhatan Algonquian Intertribal Roundtable in support of language reclamation.⁵⁴ Members of the Tribe described their involvement and understanding of the importance of such efforts in oral history interviews, excerpted below.

⁴⁷ ██████████ "Interview: ██████████," By ██████████, Mattaponi Indian Tribe, August 22, 2023, PDF Page 9.

⁴⁸ The Tribe observes a Tribal Appreciation Day held on the Fourth of July (Personal Communication, ██████████, October 23, 2024).

⁴⁹ ██████████ "Interview: ██████████ By ██████████ Mattaponi Indian Tribe, August 31, 2023, PDF Page 13.

⁵⁰ The Mattaponi powwow was not held in 2020 to 2022 due to the Covid-19 Pandemic.

⁵¹ Staff, "Annual Mattaponi Pow Wow Draws Big Crowd with Record Attendance Level," *Tidewater Review*, June 28, 2023, <https://www.dailypress.com/2023/06/28/annual-mattaponi-pow-wow-draws-big-crowd/>.

⁵² Staff, "Mattaponi Indian Tribe and Reservation Holds 26th Annual Pow Wow," *Tidewater Review* (June 17, 2024), <https://www.dailypress.com/2024/06/17/mattaponi-pow-wow/>.

⁵³ Hedgpeth, D. "New state park honors," *The News & Advance* (Lynchburg, VA), July 21, 2021.

⁵⁴ Adkins, Chief of the Chickahominy Indian Tribe, to Custalow, Chief of the Mattaponi Indian Tribe, December 22, 2021

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B7-9. Community Activities, 2020-Present: Historic Preservation and Cultural Education in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	December 15, 2022	<p>So, I've heard bits and pieces of language being spoken. The language here though has been gone since the early 1900s. [...] The tribe here has done a lot with language, as much as they can, knowing words, speaking the words, pulling words out, doing research at different times with different universities with putting together word lists in the [19]90s, the tribe did that. Was working with a scholar who put together a book of Algonquian words based on research. The tribe also worked with the "New World" production movie and put together the Algonquian language again for that movie. They did share that with the tribes. That's a big topic I think, is the language and speaking the language. I think that it's been gone, it hasn't been gone completely because we still hold on to pieces and bits, and it's interesting that right here in King William county you hear words like moccasin, you know that's an Algonquian word. You know you might hear Acquinton which is the school in King William, there's a road there, that's an Algonquian word as well. I believe it's for a canoe or a boat. So, it's all around us and sometimes you don't realize it's engrained cause we were the first contact. The Algonquian people with Jamestown settlement and things like that, but it's a necessity for us to make sure that we continue to use the language as much as we can. I think language is the second thing people look at when it comes to cultural identity. If you can speak your language fluently, that's another togetherness of who you are, where you come from.⁵⁵</p>
[REDACTED]	2023 ca.	<p>[REDACTED] Have you attended any of the cultural classes on the reservation?</p> <p>I think it was the very first one that [REDACTED] had here. I came to the very first one. But actually when, gosh, was it you—I think it was [REDACTED]. My two oldest daughters were younger. My grandmother [REDACTED] had classes that she would hold here, pottery classes, bead classes, and I think maybe y'all dabbled in a little bit of leather, but not too much.</p> <p>[...] my grandmother, [REDACTED] she still does traditional pinch pot and coiled pottery, handmade pottery, and she also still does beadwork. We also, for those powwows, have worked with leather, making regalias and things for the powwows and cutting fringe and decorating, things like that. But no, not probably in my memories. I know they used to have actual powwows on the reservation, but if they happened after I was born, I was much too young to remember.⁵⁶</p>
[REDACTED]	July 26, 2023	<p>In the past, we had some cultural days that we did. That was done along a while back. They're starting to come back now with the programs we're working with [REDACTED] and things of that nature. We used to have an old pottery shop there, that we had a program with the King William schools that would help funding, that we did workshops with pottery and beadwork and regalia-making. So different things to teach the children.</p>

⁵⁵ [REDACTED] "Interview: [REDACTED] Part One," By [REDACTED] Mattaponi Indian Tribe, December 15, 2022. PDF Page 8.

⁵⁶ [REDACTED] "Interview: [REDACTED] By [REDACTED] Mattaponi Indian Tribe, July 5, 2023, PDF Page 5.

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Interviewee	Date	Excerpt
		[...] my grandfather [REDACTED] was ordained minister down here. We did take up Christianity, but there was also things that we still do to this day: give offerings in the morning when we get up, tobacco offering, smudge before we do dance or go into a circle. Things of that nature we always done and was taught to do and continue to do so. ⁵⁷
[REDACTED]	September 12, 2023	I'm presenting at the VTEC conference at the end of this month. I do lots of workshops, trying to work with the other tribes. Upper Mattaponi, Chickahominy, Eastern Chickahominy. We're trying to reintroduce a lot of our traditional cultures, culture back to the younger generation. So, I do a lot of that and I'm currently working. I work for the [REDACTED] under their Indigenous Peoples Initiative. I help view over content, make sure it's appropriate. Make sure it's equitable, because history is often sided sort of heavily on one side and our stories seems like never gets told. ⁵⁸

Mattaponi community engagement in cultural education persists to the present day in other ways, as documented in contemporary media. During this time, primary examples include participation in regional events acknowledging Indigenous People's Day (October 10, 2020), ensuring that the Tribe's identity and culture are represented.

B7-10. Community Activities, 2020-Present: Historic Preservation and Cultural Education in Other Sources.

Date	Excerpt
October 10, 2020	Stoney made the proclamation Friday afternoon to a mostly empty City Council chamber, though present were representatives from the Pamunkey, Nottoway, Upper Mattaponi and Mattaponi tribes, as well as the Nansemond Indian Nation. [...] Shereen Waterlily [REDACTED] who was there representing the Mattaponi Tribe, called the proclamation 'a great step in the right direction.' ⁵⁹
October 12, 2021	Elliott, with representatives of the Mattaponi, Patowomeck and Cheroenhaka tribes, stood with Mayor Levar Stoney on Monday to commemorate the first people to ever walk the lands of America. [...] The fact that we are celebrating Indigenous Peoples' Day and not Columbus Day at this museum and in this city speaks volumes as to how far we've come," [Richmond Mayor] Stoney said during Monday's ceremony. "[...] As most of you know, the first people to populate the land that now comprises the city of Richmond were members of multiple tribes, including the Pamunkey, the Nottoway, the Mattaponi, the Upper Mattaponi and the Nansemond Indian Nation, each with their own diverse histories and diverse cultures," Stoney said Monday. ⁶⁰
2023	Roundtable Representatives & Tribal Support The Powhatan Algonquian Intertribal Roundtable (PAIR) consists of at least one representative of each of the eight Virginia Algonquian Speaking tribes and are as follows: • [REDACTED] - Chickahominy Indian Tribe

⁵⁷ [REDACTED] "Interview: [REDACTED]" By [REDACTED] Mattaponi Indian Tribe, July 26, 2023, PDF Page 5.

⁵⁸ [REDACTED] "Interview: [REDACTED]" By [REDACTED] Mattaponi Indian Tribe, September 12, 2023, PDF Page 16.

⁵⁹ Prestidge, H. "New Tradition," *Richmond Times Dispatch* (Richmond, VA), October 10, 2020.

⁶⁰ Nocera, J. "City officials, tribal representatives gather to celebrate Indigenous peoples," *Richmond Times Dispatch* (Richmond, VA), October 12, 2021. See also: Staff, "Correction," *Richmond Times Dispatch* (Richmond, VA), October 13, 2021; Nocera, J. "Richmond celebrates Indigenous Peoples' Day," *The (Lynchburg VA) News & Advance* (Lynchburg, VA), October 12, 2021.

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Date	Excerpt
	<ul style="list-style-type: none"> • [REDACTED] Chickahominy Indian Tribe • [REDACTED] Chickahominy Indian Tribe • [REDACTED] - Chickahominy Indian Tribe-Eastern Division • [REDACTED] - Mattaponi Indian Tribe • [REDACTED] Mattaponi Indian Tribe • [REDACTED] - Nansemond Indian Nation • [REDACTED] Pamunkey Indian Tribe • [REDACTED] - Patawomeck Indian Tribe • [REDACTED] Patawomeck Indian Tribe • [REDACTED] Patawomeck Indian Tribe • [REDACTED] Rappahannock Indian Tribe • [REDACTED] Rappahannock Indian Tribe • [REDACTED] Upper Mattaponi Indian Tribe⁶¹

Social Cooperation and Mutual Aid

Various forms of social cooperation and mutual aid took place amongst the Mattaponi Indian Tribe in recent years. For example, oral histories detail the community support that goes into planning and implementing large-scale tribal events.

B7-11. Community Activities, 2020-Present: Social Cooperation and Mutual Aid in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	July 12, 2023	Well, this year was our twenty-fifth powwow. Twenty-five years ago, I was involved in starting that powwow. I was in that kitchen cooking and planning the day and out there setting up. So that was my big thing. Always participating in anything. And when Mama [REDACTED] had her little table of pottery, I would go over there and help her and sign in people. ⁶²
[REDACTED]	July 24, 2023	But I have served around church, we get cleanup, cleanup around the reservation. Clean up at the museum. And so, I volunteer my time for that. [REDACTED] And you take money every year for the powwow? Yes. ⁶³

In addition to these regular community events, the Mattaponi Indian Tribe, through the tribal government, applied for and administered federal and state grants to support the protection of natural resources, the Tribe's federal acknowledgment efforts, including an Administration for Native Americans (ANA) Social and Economic Development Strategies (SEDS) grant.⁶⁴ Federal acknowledgment efforts have involved significant involvement from community members, who worked extensively with the Petition Office, which

⁶¹ The Powhatan Algonquian Intertribal Roundtable is hosted and facilitated by the federally recognized Chickahominy Indian Tribe. See: "Powhatan Algonquian Intertribal Roundtable," <https://www.powhatanroundtable.org/blank-1>, Accessed October 25, 2024.

⁶² [REDACTED] Interview: [REDACTED] By [REDACTED] Mattaponi Indian Tribe, July 12, 2023, PDF Page 9.

⁶³ [REDACTED] Interview: [REDACTED] By [REDACTED], Mattaponi Indian Tribe, July 24, 2023, PDF Page 15.

⁶⁴ Administration for Native Americans, "Social and Economic Development Strategies Grantees," November 13, 2023, <https://www.acf.hhs.gov/ana/social-and-economic-development-strategies-grantees#Eastern>.

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was created through the ANA, to update their enrollment files and complete oral history interviews.⁶⁵ Other large-scale coordinated efforts within the Mattaponi Indian Tribe to support the tribal community received news coverage in this period. These include a large-scale housing project (February 29, 2024) and collaborations to expand the Tribe's land base (January 29, 2024).

B7- 12. Community Activities, 2020-Present: Social Cooperation and Mutual Aid.

Date	Excerpt
February 29, 2024	<p>The Mattaponi Indian Tribe & Reservation recently received nearly \$1.7 million from the federal Indian Community Development Block Grant (ICDBG) program.</p> <p>The grant was one of 11 awarded by the U.S. Department of Housing and Urban Development on Feb. 9. HUD gave out nearly \$20 million for the block grant program, with funds intended to be used for infrastructure and more to support American Indian and Alaskan Native families on Indian reservations and in other Indian areas. [...] The Mattaponi Indian Tribe & Reservation will use the funding to perform needed housing rehabilitation to ensure the safety and habitability of low-to moderate income Mattaponi households, according to Chief Mark T. Fallingstar Custalow [REDACTED]. The reservation is located on 150 acres along the borders of the Mattaponi River near West Point in King William County.</p> <p>"The Mattaponi are appreciative and anxious to begin this project which will directly assist and impact our citizens." Custalow said. "Our citizens' wellbeing and safety are key priorities of the Tribal Council, and this award will ensure we can provide better outcomes for our citizens." ⁶⁶</p>
January 29, 2024	<p>The Mattaponi Indian Tribe has moved a step closer to regaining part of its ancestral lands after a state representative filed legislation to convey 2,200 acres to the tribe.</p> <p>Del. Keith Hodges, R-Middlesex, is sponsoring legislation that seeks to authorize the transfer of a tract in King William County known as Sandy Point, which is adjacent to the existing reservation to the Mattaponi Indian Tribe.</p> <p>"The Mattaponi Indian Tribe, a community with just over 250 enrolled citizens and fewer than 75 people living on the reservation, faces challenges from the reduction in the size of their land base over the years," a news release from Hodges' office states last week.</p> <p>The current reservation, originally recorded as 150 acres, measures less than 75 acres based on GIS mapping carried out for the tribe. The loss of the tribe's land has impacted hunting grounds, agricultural areas, and housing space for members of the tribe, according to the release.</p> <p>The Mattaponi Tribal Council, in collaboration with The Nature Conservancy, purchased the Sandy Point tract in 1999.</p> <p>The land was identified as originally belonging to the Indians in records from 1646 and 1658. It was sold to the state forestry department in 2002 to protect it pending a mechanism to allow the transfer of the title to the Mattaponi Tribe.⁶⁷</p>

⁶⁵ Personal Communication, Lois Custalow Carter, October 23, 2024.

⁶⁶ Custalow, Mark T., "Press Release: Mattaponi Indian Tribe & Reservation awarded \$1.7 million for housing rehabilitation," Mattaponi Indian Reservation, King William County, VA, February 20, 2024; see also, O'Brien Root, Kim, "Mattaponi Tribe receives \$1.7M in federal funds to support its reservation," *Tidewater Review* (West Point, VA), February 19, 2024, <https://www.dailypress.com/2024/02/19/mattaponi-tribe-receives-1-7m-in-federal-funds-to-support-its-reservation/>.

⁶⁷ Macaulay, David, "Legislation would give land back to Mattaponi Indian Tribe," *Tidewater Review* (West Point, VA), January 29, 2024, <https://www.dailypress.com/2024/01/29/legislation-would-give-land-back-to-mattaponi-indian-tribe/>.

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Annual Tax Tributes

The Mattaponi Indian Tribe continues the tradition of presenting an annual treaty tribute to the Governor of Virginia to the present day. In addition to maintaining the relationship between Virginia and the Mattaponi Indian Tribe, the ceremony holds deep historical and cultural significance for the community. Average attendance from within the Mattaponi community during this period was approximately 40 to 45 people, with 2020 as an exception given the social distancing precipitated by COVID-19.⁶⁸ Leaders of the Tribe reported on the importance of the event and its potential to educate the next generation of tribal members about their traditions and customs (November 23, 2023). The event is regularly attended by tribal members (e.g. November 24, 2022).

B7-13. Community Activities, 2020-Present: Annual Tax Tributes.

Date	Excerpt
November 25, 2021	Mattaponi Chief Mark Falling Star Custalow [REDACTED] (center right) stands with Gov. Ralph Northam as his tribe pays their annual tax tribute to Virginia at the Executive Mansion on Wednesday. ⁶⁹
November 24, 2022	<p>"Our hearts are heaving and broken yet again...we are focused on supporting families, families that today face unthinkable reality,' a solemn Gov. Youngkin said Wednesday, at the start of the traditional presentation of tribute from the Mattaponi and Pamunkey tribes to celebrate the 1677 Treaty of Middle Plantation.</p> <p>'Over the past 345 years, Virginia, the Mattaponi, the Pamunkey, have had various times of grief not unlike today,' Youngkin said."</p> <p>Photo caption: Mattaponi women, including Lois Custalow Morning Glory Carter [REDACTED] (center), danced Wednesday after the presentation by the Mattaponi and Pamunkey tribes.⁷⁰</p>
November 22, 2023	<p>Turkey may be the symbol of Thanksgiving in the U.S., but in Virginia, the first sign of the holiday is usually two deer laid before the steps of the Executive Mansion. For the 346th year, the Mattaponi and Pamunkey tribes presented the state's governor with an annual tribute of game as part of a ceremony that dates back to treaties signed in 1646 and 1677.</p> <p>"It is an honor to be here today to continue our government-to-government relationship with the commonwealth of Virginia and to continue this tradition that's been going on for many, many years," said Mattaponi Chief Mark Custalow [Mark Thomas Custalow; b.1962] Wednesday before presenting Gov. Glenn Youngkin with a seven-point buck shot on the tribe's reservation in King William County.⁷¹</p>
November 23, 2023	<p>Two Native American tribes continue a 346-year-old tradition in front of the Executive Mansion in Richmond on Wednesday.</p> <p>The Mattaponi and Pamunkey tribes delivered game and gifts to Gov. Glenn Youngkin and first lady Suzanne Youngkin for the annual Tax Tribute Ceremony, a custom that precedes the birth of the United States by almost a century.</p> <p>Mattaponi Chief Mark Fallingstar Custalow [REDACTED] said that the name of the ceremony is somewhat misleading, as the offerings his tribe brings to the governor are not in lieu of taxes. Instead, his people are honoring a centuries-old</p>

⁶⁸ Personal Communication, [REDACTED] October 23, 2024.

⁶⁹ Staff, "Annual tribute," *Richmond Times Dispatch* (Richmond, VA), November 25, 2021.

⁷⁰ Ress, D. "Mattaponi, Pamunkey make their annual tribute," *Richmond Times Dispatch* (Richmond, VA), November 24, 2022.

⁷¹ Vogelsong, S., "For 346th year, Virginia tribes present governor with a tribute of game," *Virginia Mercury*, November 22, 2023, <https://viriniamercury.com/2023/11/22/for-346th-year-virginia-tribes-present-governor-with-a-tribute-of-game/>.

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Date	Excerpt
	<p>commitment, and cementing the government-to-government relationship between his tribe and the commonwealth through a show of represent, Custalow said.</p> <p>"We take the first things from our forests and waters during this season and present them to the governor," he said.</p> <p>[...] Custalow said the ceremony is also an opportunity to teach the tribe's youngest members about its history and tradition.</p> <p>The 1677 Treaty of Middle Plantation stipulated that tribal signatories would send a delegation to pay tribute to the governor "at this place of his Residence." At the time, the governor was a representative of the English crown, but the tradition continued.⁷²</p>

Conclusion

The community activities described above demonstrate the continued existence of “social relationships connecting individual members” (83.11 (b)(1)(ii)) and “patterns of informal social interaction” (83.11 (b)(1)(iii)). Such relationships and interactions were evident in the annual recurrence of Homecoming celebrations and the powwow. The administration of large-scale mutual aid programs and coordination of subsistence strategies provide evidence of “shared or cooperative labor” among Mattaponi Indian Reservation residents (83.11 (b)(1) (iv)), and the traditions of Homecoming and the annual tax tribute represent “shared sacred or secular ritual activity” (83.11 (b)(1)(vi)). As in previous decades, the persistence of reservation lifeways, tribal efforts to educate the general public about Mattaponi traditions, and the Tribe’s government-to-government relationship with the Commonwealth of Virginia as demonstrated by the annual tax tribute exemplify the “persistence of a collective identity” (83.11 (b)(1)(viii)).

Distinction and Discrimination

Throughout this period, the Mattaponi Indian Tribe was consistently viewed as a distinct tribal entity, different from other Virginia tribes and from the non-Indian community around it. Oral histories convey a sense among tribal members that the community’s persistence and its longtime occupation of the Mattaponi Indian Reservation as well as its tribal history and culture are a critical part of this distinction.

B7-14. Distinction and Discrimination, 2020-Present in Interviews.

Interviewee	Date	Excerpt
[REDACTED]	December 15, 2022	<p>I’m Mattaponi. I could claim other tribal affiliations, but I always claim Mattaponi. I don’t claim any other besides Mattaponi really. In speaking, if someone asks about it I’ll talk about it. This is probably one sided of me being here, but I really believe from learning our history and understanding our history and hearing the elders speak about things is that we held onto this land and that was not just by chance. People fought for what we have, and we still do. So, you know the resiliency. [...]</p> <p>It’s important for us to understand our history, to understand past traditions and cultures, and it’s important for us to continue some of those things. We also need to make sure we adapt and don’t get lost. When we hang on so far to the</p>

⁷² Swenson, B., "Mattaponi and Pamunkey tribes carry on annual tradition with gifts to governor," *Tidewater Review*, November 23, 2023, <https://www.dailypress.com/2023/11/23/mattaponi-and-pamunkey-tribes-carry-on-annual-tradition-with-gifts-to-governor/>.

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Interviewee	Date	Excerpt
		past the present leaves us behind and so we have to be able to maintain our identity in this day and age in 2022. ⁷³
	July 26, 2023	<p>And what do you think sets the tribe apart from other tribes in the region?]</p> <p>I think probably the biggest thing is that we still have the reservation. Having our lands, part of our original lands, not all of it, but a part of a portion of it. This was the original seat of our people. And we still honor the treaty that we have and by honoring that treaty we live upon our lands.”⁷⁴</p>

Such distinction was echoed by journalists and scholars, who regularly identified the Mattaponi as an entity distinct from the local non-Indian population as well as other tribes in the region. This included tribal members, speaking in newspapers (September 27, 2020), reports that demonstrate the both the newspaper and the Commonwealth viewed the Tribe as distinct (October 10, 2020) and that the Mattaponi were numbered among the state-recognized tribes of Virginia (January 28, 2022). These include references to distinct oral history traditions and governing bodies.

B7-15. Distinction and Discrimination, 2020-Present in Other Sources.

Date	Excerpt
September 27, 2020	<p>Obviously, there was history in Virginia before the arrival of the ships at Point Comfort. I know this history because it is my history as well. I am a direct descendant of Pocahontas, a Mattaponi Indian. My tribe, through its oral traditions, knows the demise of own cultural ways that were once strong during the Powhatan and Pocahontas era.</p> <p>[...] To propose that 1619 was the beginning of this nation denies the recognition of the Powhatans and their present-day descendants who continue to live on and outside of the Mattaponi and Pamunkey Indian reservations today.</p> <p>Dawn Custalow [REDACTED] an English language learner teacher who lives in Roanoke, is a tribal member of the Mattaponi tribe whose reservation is located in West Point.⁷⁵</p>
October 10, 2020	<p>According to the release, Northam announced a land acquisition by the Chickahominy Tribe last year and signed a land trust agreement with the Mattaponi Indian Tribe in an attempt to rectify past decisions leading to their reservation land being 'encroached upon.'⁷⁶</p>
November 25, 2021	<p>Photo Caption: Mattaponi Chief Mark Falling Star Custalow (center right) stands with Gov. Ralph Northam as his tribe pays their annual tax tribute to Virginia at the Executive Mansion on Wednesday.⁷⁷</p>
January 28, 2022	<p>There are currently 11 tribes recognized in Virginia, including the Mattaponi, Upper Mattaponi and Pamunkey.⁷⁸</p>

⁷³ [REDACTED] "Interview: [REDACTED] By [REDACTED], Mattaponi Indian Tribe, December 15, 2022, PDF Page 11.

⁷⁴ [REDACTED] "Interview: [REDACTED] By [REDACTED] (b) (6), Mattaponi Indian Tribe, July 26, 2023, PDF Page 12-13.

⁷⁵ Custalow, D., "First Nations still overlooked," *Virginian Pilot* (Norfolk, VA), September 27, 2020.

⁷⁶ Martin, S., "Northam declares Oct 12 as Indigenous Peoples Day," *Virginian Pilot* (Norfolk, VA), October 10, 2020.

⁷⁷ Staff, "Annual Tribute," *Richmond Times-Dispatch* (Richmond, Virginia), November 25, 2021.

⁷⁸ Martin, S., "Permission to Laugh!," *Virginia-Pilot* (Norfolk, VA), January 28, 2022.

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Conclusion

The evidence above demonstrates that the Mattaponi Indian Tribe was distinguished from surrounding communities, showing “strong patterns of discrimination and other patterns of distinction by non-members” (83.11 (b)(1)(v)), including media references to the Tribe as a distinct entity. That members of the Mattaponi Indian Tribe consider themselves a distinct social and political entity is also evident, as they represented tribal interests and self-identify in print throughout the period. These actions demonstrate the continued existence of a “collective identity” (83.11 (b)(1)(viii)) and “distinct cultural patterns” (83.11 (b)(2)(iii)) among the Mattaponi between 1980 and 1999.

Evidentiary Applicability

Based on the evidence presented above, the Mattaponi Indian Tribe fulfills the requirements of Criterion 83.11 (b)(1) throughout the period from 2020 to 2024.

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C. Criterion (c): Political Influence or Authority

The Mattaponi Indian Tribe has maintained political influence and authority over Mattaponi tribal members since 1900, fulfilling criterion 83.11 (c), *Political Influence or Authority*.

Criterion (c) requires that:

The petitioner has maintained political influence or authority over its members as an autonomous entity from 1900 until the present. Political influence or authority means the entity uses a council, leadership, internal process, or other mechanism as a means of influencing or controlling the behavior of its members in significant respects, making decisions for the entity which substantially affect its members, and/or representing the entity in dealing with outsiders in matters of consequence. This process is to be understood flexibly in the context of the history, culture, and social organization of the entity.

(1) The petitioner may demonstrate that it meets this criterion by some combination of two or more of the following forms of evidence or by other evidence that the petitioner had political influence or authority over its members as an autonomous entity:

- (i) The entity is able to mobilize significant numbers of members and significant resources from its members for entity purposes.
- (ii) Many of the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance.
- (iii) There is widespread knowledge, communication, or involvement in political processes by many of the entity's members.
- (iv) The entity meets the criterion in § 83.11(b) at greater than or equal to the percentages set forth under § 83.11(b)(2).
- (v) There are internal conflicts that show controversy over valued entity goals, properties, policies, processes, or decisions.
- (vi) The government of a federally recognized Indian tribe has a significant relationship with the leaders or the governing body of the petitioner.
- (vii) Land set aside by a State for petitioner, or collective ancestors of the petitioner, that is actively used for that time period.
- (viii) There is a continuous line of entity leaders and a means of selection or acquiescence by a significant number of the entity's members.

(2) The petitioner will be considered to have provided sufficient evidence of political influence or authority at a given point in time if the evidence demonstrates any one of the following:

- (i) Entity leaders or other internal mechanisms exist or existed that:
 - (A) Allocate entity resources such as land, residence rights, and the like on a consistent basis;
 - (B) Settle disputes between members or subgroups by mediation or other means on a regular basis;
 - (C) Exert strong influence on the behavior of individual members, such as the establishment or maintenance of norms or the enforcement of sanctions to direct or control behavior; or
 - (D) Organize or influence economic subsistence activities among the members, including shared or cooperative labor.

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- (ii) The petitioner has met the requirements in § 83.11(b)(2) at a given time.

This section of the narrative presents evidence demonstrating that the Mattaponi Indian Tribe has continuously exercised political authority over its reservation lands and tribal membership from 1900 to the present. As with the narrative response to criterion 83.11 (b), this presentation of evidence is organized into chronological sections, each representing a 20-year period from 1900 to the present. Within each section, the evidence is organized into thematic subsections that align with the applicable sub-criteria contained in Criterion (c). These subsections include: *Tribal Leadership*, *Resource Use and Allocation*, *Public Works and Social Services*, *Maintaining Social Order*, *Political Participation*, and *External Relations*. While each subsection is thematically aligned with sub-criteria of Criterion (c), the evidence should not be interpreted as limited to that sub-criterion or sub-criteria. Likewise, inclusion of evidence under any subsection does not preclude its application to other relevant criteria under 25 CFR § 83.11. We have tried to reduce repetition to facilitate review; however, evidence that is strong for more than one subsection of the criterion may appear in more than one evidentiary table. As with Criterion (b), the breadth and depth of the evidence for criterion (c) is sufficient to fulfill the requirements under criterion 83.11(b)(1)(xi) and (b)(2)(v), and thus evidence presented below should be considered to fulfill criterion (b).

Tribal Leadership. This subsection provides evidence of known tribal leaders, including any available details of their tenure. This subsection demonstrates the existence of a “continuous line of entity leaders” (83.11 (c)(1)(viii)) who played key roles in the exercise of political authority (83.11 (c)(2)(i)) for all periods from 1900 to the present.

Resource Use and Allocation. This subsection presents evidence of the use and allocation of tribal resources on and off the Mattaponi Indian Reservation. Such usage and allocation demonstrate the Tribe’s ability to “mobilize significant numbers of members and significant resources from its members for entity purposes,” (83.11 (c)(1)(i)) and “allocate entity resources such as land, residence rights, and the like” (83.11 (c)(2)(i)(A)). The allocation of resources is often accompanied by other activities that may demonstrate the existence of “internal conflicts that show controversy over valued entity goals, properties, policies, processes, or decisions” (83.11 (c)(1)(v)) and the Tribe’s organization or influence of “economic subsistence activities,” (83.11 (c)(2)(i)(D)).

Public Works and Social Services. This subsection presents evidence of the Mattaponi’s Indian Tribe’s use of its political structure to organize and affect public works and social services, including activities like reservation maintenance and the administration of valued tribal institutions, like the Mattaponi Indian School. Such evidence demonstrates the Tribe’s ability to “mobilize significant numbers of members and significant resources from its members for entity purposes,” (83.11 (c)(1)(i)) and “allocate entity resources such as land, residence rights, and the like” (83.11 (c)(2)(i)(A)). Additionally, insofar as the allocation of resources was accompanied by internal conflicts, these activities further demonstrate “internal conflicts that show controversy over valued entity goals, properties, policies, processes, or decisions” (83.11 (c)(1)(v)). When such activities structured the maintenance of common property on the Reservation, they demonstrate the active use of “land set aside by a State for the petitioner” (83.11 (c)(1)(vii)). Finally, where such activities structured the wage-activities of individual members (e.g. through paid maintenance of common property) they demonstrate the Tribe’s organization or influence of “economic subsistence activities,” (83.11 (c)(2)(i)(D)).

Maintaining Social Order. This subsection presents evidence of the ways in which the Tribe organized tribal behaviors throughout the period, overseeing processes and regulations that ordered the everyday lives of tribal members. Such evidence demonstrates the Tribe’s exertion of “strong influence on the behavior of individual members, such as the establishment or maintenance of norms or the enforcement of sanctions to direct or control behavior” (83.11 (c)(2)(i)(C)). Such evidence often also illustrates the existence of mechanisms to “allocate entity resources,” (83.11 (c)(2)(i)(A)), “settle disputes,” (83.11 (c)(2)(i)(B)),

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and/or “organize or influence economic subsistence activities” (83.11 (c)(2)(i)(D)). Many of these instances also provide evidence of “internal conflicts” (83.11 (c)(1)(v)) within the Tribe.

Political Participation. This subsection presents evidence of the political participation of Tribal Members in activities of the Tribe, such as tribal meetings, elections, etc. Such participation demonstrates the Tribe’s ability to “mobilize significant numbers of members and significant resources from its members for entity purposes” (83.11 (c)(1)(i)), that “the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance” (83.11 (c)(1)(ii)), that “there is widespread knowledge, communication, or involvement in political processes by many of the entity’s members” (83.11 (c)(1)(iii)), and that “there are internal conflicts that show controversy over valued entity goals, properties, policies, processes, or decisions” (83.11 (c)(1)(v)).

External Relations. This subsection presents evidence of the Tribe’s government-to-government relations with federally recognized Indian Tribes and other governmental entities, including federal, state, and local authorities. Such relationships demonstrate that the Tribe’s governing body has played a key role in “representing the entity in dealing with outsiders in matters of consequence,” (83.11(c)) and that tribal and non-tribal governmental entities have a “significant relationship with the leaders or the governing body of the petitioner” (83.11(c)(1)(vi)). These relationships often signal the trust that membership puts in tribal leaders to represent their interests and thus also provides evidence demonstrating that “Many of the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance” (83.11 (c)(1)(ii)) and that “there is widespread knowledge, communication, or involvement in political processes by many of the entity’s members” (83.11 (c)(1)(iii)).

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1. Criterion (c): 1900 to 1919

The period from 1900 to 1919 includes evidence from a variety of sources that clearly demonstrate the presence of political authority and fulfillment of Criterion (c) of 25 CFR 83.11. This includes the demonstration that the Tribe acted as an “autonomous entity” that held “political influence or authority over its members” (83.11(c)(1)). Specifically, the Tribe was regularly able to “mobilize significant numbers of members and significant resources... for entity purposes” (83.11 (c)(1)(i)) through tribal elections and participation in key tribal events such as the annual tribute to the Governor which commemorates and continues the Tribe’s treaty relationship with the Commonwealth. Additionally, members regularly participated in activities organized by the government, including attending the annual tribute, participating in the Mattaponi Indian School, and attending town meetings, demonstrating both that members placed import on the “issues acted upon or actions taken by entity leaders” (83.11(c)(1)(ii)) and the existence of “widespread knowledge, communication, or involvement in political processes” (83.11(c)(1)(iii)). Likewise, the tribal government’s mediation of internal disputes over issues such as the rental of reservation lands through a tribal court demonstrates the existence of “internal conflicts that show controversy over valued entity goals, properties, policies, processes, or decisions” (83.11 (c)(1)(v)). The clear and ongoing relationship with the Pamunkey Indian Tribe and others demonstrates the Mattaponi tribal government’s relationship with federally recognized Indian Tribes (83.11 (c)(1)(vi)). During this period, evidence demonstrates that the Mattaponi continuously occupied and used the state-reservation initially conferred to it in the colonial period (83.11 (c)(1)(vii)). Finally, tribal minute books and other records show the existence of a “continuous line of entity leaders and a means of selection of acquiescence by a significant number of the entity’s members” (83.11 (c)(1)(viii)).

Moreover, for the period from 1900 to 1919, and throughout the 20th and 21st centuries, the Mattaponi Indian Tribe clearly fulfills the requirements under 25 CFR 83.11 (c)(2). Specifically, evidence demonstrates that the tribal government regularly allocated entity resources through allotment to tribal members as well as advocacy for tribal citizens with regard to economic benefits related to tribal status (such as exemption from certain taxes and protection of hunting and fishing rights (83.11 (c)(2)(i)(A))). During this period, the tribal government intervened in the activities of tribal citizens and formalized tribal laws in ways that clearly demonstrate its role in the regular settlement of internal disputes (83.11 (c)(2)(i)(B)), its strong influence over member behavior (83.11 (c)(2)(i)(C)), and its ability to organize the economic subsistence activities of its members (83.11 (c)(2)(i)(D)). Such evidence, by meeting the requirements of 25 CFR 83.11 (c)(2), fulfills the crossover provision in 25 CFR 83.11 (b)(2)(v) and thus has “provided more than sufficient evidence to demonstrate distinct community” for the period from 1900 to 1919.

Tribal Leadership

During the period from 1900 to 1919, the Mattaponi Indian Tribe was governed by a tribal government which included a Chief and Council.¹ While evidence in this period is incomplete, the continued existence of the Tribe’s reservation indicates that tribal governance largely continued the way it had in earlier periods.² This would have included the allotment of land, administration of informal and formal tribal laws, and maintenance of important tribal institutions. Known tribal leaders during this time would have carried

¹ There is a short period during which it appears the office of Chief was unfilled. During this time, however, it is clear that the Tribe retained political authority during this period, as it continued to allot tribal lands.

² The evidence available is sufficient to demonstrate political authority and supports a presumption of continuity of political authority during this period in line with the Department of Interior’s evaluation standards, including that the Department will not require the demonstration of political influence or authority at every point in time (83.10 (a)(2)) and that it will take into account historical situations for which evidence is demonstrably limited (83.10 (b)(2)).

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on the types of governmental activities carried out by late 19th century leaders like [REDACTED] and [REDACTED]

Documentation of tribal leadership in the period from 1900 to 1919 begins with records of the election held at a tribal meeting on March 24, 1914.⁴ [REDACTED] was elected to a two-year term during this election. [REDACTED] was elected as Chief for the two-year term of 1916 to 1918.⁵ During the 1918 election, [REDACTED] was re-elected, after which he served consecutive terms until 1949.⁶ During this period, records indicate that tribal members [REDACTED] served on the Tribal Council.⁷

Table C1-1. Tribal Leaders, 1900-1919.

Date	Title	Tribal Leaders
1914 – 1916	Chief	[REDACTED]
1918 – 1949		
1916 – 1918	Chief	
1914 – 1919	Assistant Chief	
1914 – 1918	Councilman	
1914 – 1916	Councilman	
1916 – 1918	Headman	
1916 – 1922	Headman	
1916 – 1918 ca.	Headman	

Conclusion

Evidence of the makeup of Tribal Council demonstrates the existence of a “continuous line of entity leaders” (83.11 (c)(1)(viii)) who played key roles in the exercise of political authorities under criterion 83.11 (c)(2)(i). Likewise, records of Tribal elections, described further in the analysis below, demonstrate political participation of the tribal community and thus, that members “consider issues acted upon or actions

³ Trustees of the Mattaponi Indian Tribe meeting notes, 1799 - 1887, *King William County Deed Book 6*. King William County Court House, King William, Virginia, 473; Governor Henry H. Wells, 1868 - 1869. Executive Papers, Accession 43756, Box 1, Folder 2, State Government Records Collection, Library of Virginia, Richmond, Virginia, PDF Page 9; Allmon v. Langston etc., King William County Chancery Causes 1878-1909, Library of Virginia, King William County Circuit Court, Richmond, Virginia, Page 206. https://www.lva.virginia.gov/chancery/case_detail.asp?CFN=101-1909-003.

⁴ Law Ledger, 24 March 1914, [REDACTED] Private Collection, PDF Page 7.

⁵ Law Ledger, [REDACTED] Private Collection, PDF Pages 7 and 13.

⁶ Law Ledger, 27 February 1918, [REDACTED] Private Collection, PDF Page 16.

⁷ Law Ledger, [REDACTED] Private Collection, PDF Pages 7-24.

⁸ Staff, “Mattaponi Braves Send Game to Big White Chief,” *Richmond Times Dispatch* (Richmond, VA), November 19, 1914; Staff, “Big Smoke of 1916 Made Heap Bad Law-Indian Chief Appeal to Great White Father Against New Game Act,” *Richmond Times Dispatch* (Richmond, VA), July 11, 1916; Staff, “Indian Brings Game,” *The Evening Journal* (Jeffersonville, IN), December 8, 1917; Staff, “Mattaponi Tribe Sends Tribute,” *The Richmond Virginian* (Richmond, VA), December 8, 1917.

⁹ Law Ledger, [REDACTED] Private Collection, PDF Pages 7 and 13.

¹⁰ [REDACTED] “Brief “History” of Mattaponi Reservation,” *The Tidewater Review* (West Point, Virginia), January 13, 1938.

¹¹ [REDACTED] “Brief “History” of Mattaponi Reservation,” *The Tidewater Review* (West Point, Virginia), January 13, 1938.

¹² [REDACTED] “Brief “History” of Mattaponi Reservation,” *The Tidewater Review* (West Point, Virginia), January 13, 1938.

¹³ Law Ledger, 28 July 1916, [REDACTED] Private Collection, PDF Page 12.

¹⁴ Law Ledger, 28 July 1916, [REDACTED] Private Collection, PDF Page 12.

¹⁵ Law Ledger, 28 July 1916, [REDACTED] Private Collection, PDF Page 12.

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taken by entity leaders to be of importance” (83.11 (c)(1)(ii)) and that there is “widespread knowledge, communication, or involvement in political processes by many of the entity's members” (83.11 (c)(1)(iii)).

Resource Use and Allocation

Between 1900 and 1919 the Mattaponi Tribal Council was closely involved in the allocation of tribal resources. Specifically, the Council determined who could hold an allotment on the Mattaponi Indian Reservation and how individuals could utilize those lands.

Reservation Allotments

The process for attaining lands, and strictures related to how such land would vest in a member were defined in the tribal laws formalized at a 1914 tribal meeting. These laws set out the following:

[...]1. Any citizen hold lots or land on Reservation from this date June 16th 1914, have to be given by the Chief and Tribe, and such persons shall be entitled to pay rent for each year they are in possession of said lot or land until they build there on a dwelling and occupy same. Carried. [...]

In case there be no vacant lot, the larger lot are to be divided with those who have no lot at all provided such persons have complied with the laws of the Reservation. Carried. [...]

So regarding Fatherless and Motherless children being very young or under age and have been left in possession of House & lot such children shall be entitled to hold the lot and house so long as they live on said lot and occupy the house. If said children or ken [sic] leave the lot for two years the lot or land goes back to the Reservation and the improvements are sold to pay taxes and if there for any of the proceeds of said Buildings remaining go to said children or persons.

No citizen that laws on Reservation who are in possession of a lot shall not sell their improvement to a citizen of said Reservation with the intention of giving the buyer a title to the land, such person only can sell with the understanding that the Building have to be removed off said lot on land, title only can be given to lots on lands by the chief and tribe. After this the meeting adjourned

Carried sign [REDACTED] Chief

Citizen shall petition Tribe for reinstatement for lot or land. Tribe has to allot land to citizen, property on lot is personal property and can be sold at will. Any citizens of Tribe can reside except as voted on wives or husbands of Caucasian

[REDACTED] Chief¹⁶

The law was amended at a tribal meeting on November 16, 1914, with additional residency requirements likely related to the mobility and return migration of tribal members who pursued jobs in cities like Richmond:

[...] On motion of [REDACTED] and second by [REDACTED] that any citizen that moves off the Reservation to Reside for 2 years then return back to the Reservation after the expiration of two years Such person shall be compelled to live on his lot for six months before leaving again. Carried. [...]¹⁷

¹⁶ Law Ledger, 16 June 1914, [REDACTED] Private Collection, PDF Pages 9-10.

¹⁷ Law Ledger, 16 November 1914, [REDACTED] Private Collection, PDF Page 11.

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Extant records demonstrate that the Mattaponi Tribal Council regularly made decisions on the assignment of reservation lots throughout this period (August 24, 1914; November 16, 1914; April 19, 1915; October 7, 1915; November 28, 1917) and even reclaimed allotted land in the service of public infrastructure (May 5, 1916). Such records show the continuing practice of allotment throughout this period.

Table C1-2. Resource Use and Allocation, 1900-1919: Reservation Allotments.

Date	Excerpt
August 24, 1914	A meeting called by the Chief & Council of the Mattaponi Reservation for the purpose of giving ██████████ a lot to build on. On motion of ██████████ second by ██████████ that we give ██████████ half of the lot, known as ██████████ Carried [...] ¹⁸
April 19, 1915	[...] On motion of ██████████ and second by ██████████ that ██████████ be assigned [sic] a lot known as ██████████ lot. Carried. [...] ¹⁹
October 7, 1915	[...] On motion of ██████████ and second by ██████████ that we will sign ██████████ the lot this is known as ██████████ lot. Carried. ²⁰
May 5, 1916	A meeting was called to widen the Road in front of ██████████ lot and it was decided by the majority and trustees that the road to be moved 30 feet from the Gully and it was done at the same time and the town decided to ██████████ as much land off ██████████ lot as they taken away from him for the Road. And it was done at that time and the town gives ██████████ the open land on the ██████████ lot joining is lot all open land north and east of ██████████ house on the Mattaponi Indian Reservation known as his lot. The above change was done by the town and approved by the chief ██████████ and Trustees Everett Edwards & W. C. Trimmer Signed ██████████ chief ²¹
November 28, 1917	Lot known as ██████████ lot be assigned to ██████████ Carried. ²²

Regulation of Allotted Lands

The activities of the Tribal Council were not limited to the assignment of allotments for residence. The tribal government controlled how individuals could use their allotted lands, restricting rental (March 24, 1914), setting dates for the harvest of crops and the turning out of livestock (November 16, 1914), and coordinating cultivation for crops on individual lands and internal land rentals for cultivation purposes (April 19, 1915; April 19, 1916; March 10, 1917). Additionally, the tribal government set standards for

¹⁸ Law Ledger, 24 August 1914, ██████████ Private Collection, PDF Page 10.

¹⁹ Law Ledger, 19 April 1915, ██████████ Private Collection, PDF Page 11.

²⁰ Law Ledger, 7 October 1915, ██████████ Private Collection, PDF Page 12.

²¹ Law Ledger, 5 May 1916, ██████████ Private Collection, PDF Page 12.

²² Law Ledger, 28 November 1917, ██████████ Private Collection, PDF Page 15.

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fencing, requiring that all individual allotments be enclosed with “hog tight and Bull strong fence[s]” (April 19, 1916; May 14, 1919) and punishing those who attempted to claim unallotted lands by fencing them (August 10, 1918).

Table C1-3. Resource Use and Allocation, 1900-1919: Regulation of Allotted Lands.

Date	Excerpt
March 24, 1914	[...] On motion of ██████████ and second by ██████████ that no citizen on Reservation shall not rent their land or lot to any person or persons living outside of Reservation, if so the penalty will be fixed on such citizen as found guilty, carried. ²³
November 16, 1914	[...] On motion of ██████████ and second by ██████████ that the crops shall be gathered by November 1 st and stock should be turned out on Reservation. Carried. On motion of ██████████ and second by ██████████ that all stock on Reservation shall be taken in by May 1 st Carried. ²⁴
April 19, 1915	[...] on motion of ██████████ and second by ██████████ that ██████████ shall cultivate the lot that he held before he was married. After the said ██████████ shall cultivate the lot for 1915, the lot shall be vacated and Returned to the Reservation, Carried. On motion of ██████████ and second by ██████████ that ██████████ be assigned [sic] a lot known as ██████████ lot. Carried. The meeting now adjourned, sign ██████████ ²⁵
April 19, 1916	[...] The lot on the Northern End of Reservation formerly known as ██████████ lot was rented to ██████████ for the year of 1916 for cultivating peas on for the sum of \$3.50 and said rent is to be paid before gathering ground crops, on motion of ██████████ and second by ██████████ that all of the land held on the Mattaponi Reservation shall fence their lots with Hog tight and Bull strong fence by the closing of the year of 1917 Carried. ²⁶
March 10, 1917	March 10- 1917 Motion ██████████ Second ██████████ ██████████ lot being rented be paid to her. Carried Motion ██████████ second ██████████ and rents be paid on Oct 25 each year Adjourned ██████████ Chief. ²⁷
November 28, 1917	Pay Hester Allmond rent for her lot. ²⁸

²³ Law Ledger, 24 March 1914, ██████████ Private Collection, PDF Page 7.
²⁴ Law Ledger, 16 November 1914, ██████████ Private Collection, PDF Page 11.
²⁵ Law Ledger, 19 April 1915, ██████████ Private Collection, PDF Page 11.
²⁶ Law Ledger, 19 April 1916, ██████████ Private Collection, PDF Page 12.
²⁷ Law Ledger, 10 March 1917, ██████████ Private Collection, PDF Page 14.
²⁸ Law Ledger, 28 November 1917, ██████████ Private Collection, PDF Page 15.

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Date	Excerpt
April 10, 1918	[REDACTED] found guilty of possessing and taking possession of Reservation lands did fence and enclose same. By 4-12-1918 ordered to remove fence and enclosure. ²⁹
May 14, 1919	May 14- 1919 Rent Lots for Cultivation for 1919 Moved by [REDACTED] ec. M.H. Langston [REDACTED] Fence law shall be enforced. ³⁰

Regulation of Reservation Properties and Resources

Finally, throughout the period from 1900 to 1919, the Mattaponi Tribal Council held authority over the use and benefit of reservation resources, including timber and the Reservation dock. When a tribal member sold pulp wood the Tribal Council intervened, stating that timber was customarily held in common to be used by tribal members for improvements and heating fuel and could only be sold through a decision by the town, requiring the offender to remit the proceeds of the sale to the Tribe (October 16, 1914). The Council further approved the sale of timber to buy fencing (May 14, 1919). The Tribe also required fees be paid for the use of the dock and waterways of the reservation (November 16, 1914; March 10, 1917; April 10, 1918; and May 14, 1919).

Table C1-4. Resource Use and Allocation, 1900-1919: Regulation of Reservation Properties and Resources.

Date	Excerpt
October 16, 1914	[...] A meeting called to settle a case against [REDACTED] for cutting and selling pulp wood off the Reservation, it was decided that he should pay the stumpage to the Reservation. It has been known as a custom, that all timber on Reservation is Reserved for the benefit of each and every citizen to use for building and firewood unless the timber is sold by permit of the Town for the benefit of the Treasury. This is written law Oct 16 th 1914 in regards to timber. ³¹
November 16, 1914	[...] On motion of [REDACTED] and second by [REDACTED] that any person that lives off the Reservation shall be Compelled to pay one dollar per year for the privilege of landing his boat and nets on the shore of the Reservation. Carried. ³²
March 10, 1917	Motion [REDACTED] second [REDACTED] Timber dock be made a private dock. Carried. Motion [REDACTED] Second [REDACTED] On or before April 9- 1917 All persons landing their boats and their nets on the Reservation shore shall pay their rent 50 cents per boat Carried. ³³

²⁹ Law Ledger, 10 April 1918, [REDACTED] Private Collection, PDF Page 16.

³⁰ Law Ledger, 14 May 1919, [REDACTED] Private Collection, PDF Page 17.

³¹ Law Ledger, 16 October 1914, [REDACTED] Private Collection, PDF Page 10.

³² Law Ledger, 16 November 1914, [REDACTED] Private Collection, PDF Page 11.

³³ Law Ledger, 10 March 1917, [REDACTED] Private Collection, PDF Page 14.

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Date	Excerpt
April 10, 1918	Pay wharfage on landing Walter Acree made to pay 1.00 per. Carried. ³⁴
May 14, 1919	<p>Moved [REDACTED] second [REDACTED] [REDACTED] we pay W.S. Timberlake for the wood to fill the Gully, out of the Town Treasurer, [...]</p> <p>To sell merchantable timber to buy fencing to fence the Reservation in.³⁵</p>

Conclusion

The mediation of allotments and other reservation resources demonstrates the tribal government’s ability to “mobilize significant numbers of members and significant resources from its members for entity purposes,” (83.11 (c)(1)(i)) and to “allocate entity resources such as land, residence rights, and the like” (83.11 (c)(2)(i)(A)). Oversight over how allotments were used, such as rental for agriculture as well as setting harvest and stock-grazing practices demonstrate the tribal government’s significant authority over tribal members’ “economic subsistence activities,” (83.11 (c)(2)(i)(D)). Moreover, the use of sanctions for violation of tribal regulations regarding resources, such as the prohibition on the sale of timber, show the existence of “internal conflicts that show controversy over valued entity goals, properties, policies, processes, or decisions” (83.11 (c)(1)(v)) and the government’s ability to exert “strong influence on the behavior of individual members, such as the establishment or maintenance of norms or the enforcement of sanctions to direct or control behavior” (83.11 (c)(2)(i)(C)). Additionally, allotment and the regulation of group resources are indicative of the widespread recognition of the property as a state reservation held in whose lands were held in common by the Tribe and under its use and control (83.11 (c)(1)(vii)).

Public Works and Social Services

The Mattaponi Tribal Council regularly worked to support the tribal community through the provision of public works and social services. During the period from 1900 to 1919, such efforts included successfully advocating for and overseeing the Mattaponi Indian School on the reservation, establishing church services for the community, and maintaining the infrastructure on which the reservation community depended.

Mattaponi Indian School

Chief [REDACTED] advocated for a school with the government, listing it as one of his key achievements during an interview conducted in 1938:

[...] Fourth, at that time I could see that education was needed; therefore I petitioned to the State Board of Education for a school teacher. Fifth, I myself built a school house for my Tribe and the teacher was furnished by the State Board of Education to teach the Mattaponi Indian School, of which first session was taught by Miss Lelia A. Fox.³⁶

The petition for the school and the continuing relationship of the tribal government as the authority with oversight responsibility over the facility is apparent throughout the documentary record. Ultimately, the effort included the West Point District Board of Education, the State Board of Education, and the Governor’s Office. The effort culminated in the assignment of a schoolteacher in 1916 (June 28, 1916), two years after the process was initiated, for the Tribe’s 30 students. By 1918, the Tribal Council had appointed

³⁴ Law Ledger, 10 April 1918, [REDACTED] Private Collection, PDF Page 16.

³⁵ Law Ledger, 14 May 1919, [REDACTED] Private Collection, PDF Page 17.

³⁶ Custalow, C. G. F., “Brief ‘History’ of Mattaponi Reservation,” *The Tidewater Review* (West Point, VA), January 13, 1938. See also: Staff, “Virginia Indian Chief Completes 24th Year,” *Greene County Record* (Standardsville, VA), January 6, 1938; Staff, “Many Changes in Reservation Made by Mattaponi Chief,” *Richmond Times Dispatch* (Richmond, VA), January 3, 1938.

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a school trustee and committed to paying all school expenses out of its treasury (January 7, 1918) and begun provisioning its wood (December 16, 1918). The state inquired with the Chief after the material needs for the maintenance of the schoolhouse, making it clear that the Tribe was considered responsible for monitoring and communicating those needs to the Commonwealth and demonstrating that the Commonwealth saw the tribal government as responsible for organizing the school's upkeep (April 6, 1918).

Table CI-5. Public Works and Social Services, 1900-1919: Mattaponi Indian School.

Date	Excerpt
December 5, 1914	<p>Mr. W. S. Timberlake, Clerk, West Point District Board, Sweet Hall, Va.</p> <p>My dear Sir:-</p> <p>The Governor directs me to acknowledge receipt of your letter of December 4th directing attention to the request of the Mataponi [<i>sic</i>; Mattaponi] Indians for a public free school on their reservation, and to advise you that he has already had a consultation with regard to this matter with [REDACTED] and consideration will be given to the matter at the next meeting of the State Board of Education.</p> <p>Very truly yours, Secretary to the Governor.³⁷</p>
December 7, 1914	<p>My dear Sir:</p> <p>I am in receipt of yours of the 5th instant enclosing a communication from Mr. W. A. Timberlake in regard to the Mataponi [<i>sic</i>; Mattaponi] Indian school. It will afford me pleasure to lay this matter before the State Board of Education at its next meeting.</p> <p>With best wished, I am, Yours very truly, E. R. Chesterman³⁸</p>
December 10, 1914	<p>[...] Consideration was given to a petition from the Mattaponi Indians, who ask the State Board of Education to assist them in a movement under way to open a school for the Indian children on the reservation. There are about thirty of the Indian children. [...] ³⁹</p>
June 28, 1916	<p>[...] The board of authorized Superintendent Stearnes to employ a teacher to conduct a school the coming session for the Mattaponi Indians on their Reservation in King William County. [...] ⁴⁰</p>
January 7, 1918	<p>[<i>Tribal Meeting Minutes</i>]</p>

³⁷ Letter from the Secretary of the Governor to W. Timberlake, 5 December 1914, Governor Stuart, Henry C., Executive Papers, Accession 28722, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 20, Folder 8, PDF Page 6-7.

³⁸ Letter from E. Chesterman to A. Forward, 7 December 1914, Governor Stuart, Henry C., Executive Papers, Accession 28722, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 20, Folder 8, PDF Page 8.

³⁹ Staff, "School Book Award Goes Over to January," *Richmond Times Dispatch* (Richmond, VA), December 10, 1914.

⁴⁰ Staff, "Observe January 14 as Maury Day," *Richmond Times Dispatch* (Richmond, VA), June 28, 1916.

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Date	Excerpt
	<p>[REDACTED] appointed school Trustee. All school expenses be paid out of Town Treasure Carried⁴¹</p>
April 6, 1918	<p>[REDACTED]</p> <p>Mattaponi Tribe, Wakema, Va.</p> <p>Dear Chief:</p> <p>[...]</p> <p>Please let me know also the condition of your school building at Sweet Hall. How long has it been since this building was painted? If the building needs painting please let me know the color and amount of paint that will be required, the amount of oil, putty, etc.</p> <p>If the school building does not need painting, I would like for you to tell me what else of about this character is needed by the Tribe.</p> <p>Yours very truly, Secretary of the Governor.⁴²</p>
December 16, 1918	<p>[<i>Tribal Meeting Minutes</i>]</p> <p>Wood for school-3.00 for a load wood.</p>

Mattaponi Indian Baptist Church

During the same period, [REDACTED] established independent religious services on the Reservation, listing it as one of his central accomplishments as chief.⁴³ These services went on for at least four years, but likely continued until the Mattaponi Indian Baptist Church was formally organized as a member of the Dover Baptist Association in 1930.⁴⁴ As with the school, it is likely that the Tribe, under the authority of the Tribal Council, provided and maintained the building and the grounds utilized for religious services. Moreover, the fact that the Tribe was able to formally join the Dover Association just 15 years later with a building and 24 members is indicative of the level of tribal government and community support in the endeavor.⁴⁵

⁴¹ Law Ledger, 7 January 1918, [REDACTED] Private Collection, PDF Page 15.

⁴² Letter from the Secretary of the Governor to [REDACTED] 6 April 1918, Governor Davis, Westmorland. Executive Papers, Accession 21567a, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 23, Folder 11, PDF Page 9.

⁴³ [REDACTED] "History of Mattaponi Indian Baptist Church," 1934 ca., [REDACTED] Private Collection.

⁴⁴ "Minutes of the Dover Baptist Association Virginia, 1927-1932," Dover Baptist Association (Va.), Library of Virginia, Richmond, Virginia.

⁴⁵ By 1932, the church statistics suggest it is housed in a wooden building built in 1905 and that Sunday School has 25 scholars. "Minutes of the Dover Baptist Association Virginia 1933-35," Dover Baptist Association (Va.), Library of Virginia, Richmond, VA. 7, 67, 71.

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Table C1-6. Public Works and Social Services, 1900-1919: Mattaponi Indian Baptist Church.

Date	Excerpt
Ca. 1914-1918	On March 14, 1914 [REDACTED] was elected chief of the Mattaponi tribal reservation. At the start of his work as chief he considered God should come first of all. At the invitation of [REDACTED] the Rev. W. B. Tyler was invited to come and preach on the second and fourth Sundays of each month. He accepted the invitation and conducted services on the reservation for four years. ⁴⁶

Road Maintenance

In addition to the establishment and maintenance of social institutions, the Mattaponi Tribal Council organized the maintenance of community infrastructure such as the roads. Road maintenance depended on shared labor and was mandated by tribal law (November 16, 1914). In a town meeting in 1916, the Tribe voted to widen the road leading into the reservation and reclaimed a portion of a resident's allotment as a part of the project (May 5, 1916).

Table C1-7. Public Works and Social Services, 1900-1919: Road Maintenance.

Date	Excerpt
November 16, 1914	[...] It has been decided by the tribe of the Reservation that any citizens above eighteen years of age who should fail to work the roads when called by the chief and tribe shall pay [REDACTED] dollar per day. Signed [REDACTED] Chief [REDACTED] Chief. ⁴⁷
May 5, 1916	A meeting was called to widen the Road in front of [REDACTED] lot and it was decided by the majority and trustees that the road to be moved 30 feet from the Gully and it was done at the same. ⁴⁸

Securing Public Services

One of the main reasons that the Mattaponi government has engaged with the Commonwealth over time is to secure public services for the Tribe. During this period, Chief [REDACTED] worked with the Virginia governor's office to obtain postal services on the Reservation.

Table C1-8. External Relations, 1900-1919: Securing Public Services.

Date	Excerpt
November 23, 1915	Chief [REDACTED] R.F.D. Sweet Hall, Virginia My dear Sir:- The Governor directs me to acknowledge receipt of your petition concerning postal service, which he has forwarded to the proper postal authorities. Very truly yours, Alexander Forward

⁴⁶ [REDACTED] "History of Mattaponi Indian Baptist Church," 1934 ca. [REDACTED] Private Collection.

⁴⁷ Law Ledger, 16 November 1914, [REDACTED] Private Collection, PDF Page 11.

⁴⁸ Law Ledger, 5 May 1916, [REDACTED] Private Collection, PDF Page 12.

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Date	Excerpt
	Secretary to the Governor. ⁴⁹
November 29, 1915	Chief Geo. F Custalow [REDACTED] R.F.D., Sweet Hall, Va. My dear Sir: Your letter of the 15th instant, addressed to Governor Stuart, relative to the extension of the rural route from Sweet Hall, Virginia, has been referred to me by the Governor of Virginia, and I have in turn taken the matter up with the Fourth Assistant Postmaster General with the request that the subject be given very careful consideration. As soon as an investigation has been made of the petition I will be glad to advise you further. Sincerely yours, A. J. Montague ⁵⁰

Conclusion

Efforts to provide public works and social services are indicative of the Tribe’s continued political authority during this period. The success of the Tribe in obtaining support for and maintaining tribal institutions such as the Mattaponi Indian School and the Mattaponi Baptist Church and pursuing public works projects such as road maintenance demonstrate their ability to “mobilize significant numbers of members and significant resources from its members for entity purposes” (83.11 (c)(1)(i)). Likewise, the participation of community members in the institutions that the Tribal Council helped to establish demonstrate that members considered “actions taken by entity leaders or governing bodies to be important” (83.11 (c)(1)(ii)) and that “there is widespread knowledge, communication, or involvement, in political processes by many of the entity’s members” (83.11 (c)(1)(iii)). The provision of tribal property for the use of these institutions demonstrates further the Tribal Council’s ability to “allocate entity resources such as land, residence rights, and the like” (83.11 (c)(2)(i)(A)), while labor requirements on the roads demonstrates the Tribal Council’s ability to “exert strong influence on the behavior of individual members” (83.11 (c)(2)(i)(C)). That the Tribal Council’s authority was recognized by the state and other entities in terms of land use for public works and social service is indicative of the widespread recognition of the property as a state reservation held in common by the Tribe (83.11 (c)(1)(vii)).

Maintaining Social Order

During the period from 1900 to 1919, the Tribe regularly engaged in the formulation of rules and regulations to order life within the Mattaponi and on the Mattaponi Indian Reservation. This included the formal recording of tribal laws in 1914 and the subsequent addition and refinement of those laws. Additionally, the Tribal Council acted to enforce those laws and to mediate tribal disputes.

⁴⁹ Letter from Alexander Forward to [REDACTED] 23 November 1915, [REDACTED] Collection, Section 2.

⁵⁰ Letter Series: Alexander Montague and [REDACTED] 29 November 1915, [REDACTED] Collection, Section 3.

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Tribal Laws and Regulations

In March of 1914, the Tribe met to hold an election⁵¹ and set down formal laws and regulations governing the reservation (March 24, 1914).⁵² The Tribe met again to elect trustees and outline their role (May 28, 1914), and to set down additional laws (June 16, 1914), and then periodically throughout the remainder of the decade. During this period formal tribal laws maintained social order on the reservation and the recognition of the Tribe’s autonomy and enforcement of such laws was clearly stated in several opinions.⁵³ Laws included in the extant records include regulations concerning meeting attendance, allotments, resource use, disorderly conduct, and the Tribe’s right to expel any “rude or rebellious” citizens.

Table CI-9. Maintaining Social Order, 1900-1919: Tribal Laws and Regulations.

Date	Excerpt
March 24, 1914	<p>[...] All laws and officers can after two years be voted out or continued by election [...]</p> <p>Chapter 4</p> <p>On motion of [REDACTED] and second by [REDACTED] that any member of said tribe fail to attend Town meeting unless they can give a lawful excuse. They shall be fined one dollar and it furthermore has been agreed by the members of this tribe that the tribe shall have two days notice to attend called meeting, carried.</p> <p>Chapter 5</p>

⁵¹ Please note that the Minutes intermix election and laws under a series of entries labelled chapters. For ease of analysis, we have separated details on the particular election and included that in the section below on political participations. We have also included all actions that appeared to be ongoing laws but have not included items that were time delimited (so the requirement that all allotments be fenced by 1917 has not been included, though the item is treated elsewhere).

⁵² While these are the earliest extant copies of the Tribe’s Meeting Minutes and election records, they were copied from the original source material before 1977 (Rountree, Helen C. Fieldnotes, April 1986-December 1986. Helen C. Rountree Papers, National Anthropological Archives, Smithsonian Institution, National Anthropological Archives, Washington, D.C, Box 3, Folder “Fieldnotes April 1986-December 1986.” PDF Page 5.). The existence of evidence of the Tribe’s political authority in earlier periods, including the 1855 appeal by [REDACTED] for aid from the Trustee’s in the Tribe’s enforcement of prohibitions against “tippling Houses,” the 1868 “List of Chiefs, Headmen and members of the Mattaponi Indian Tribe” that accompanied an appeal to the governor over the use of a road, the 1876 letter from Green and Littlepage asserting that the Pamunkey and Mattaponi had been induced to pay taxes and that they provide for their own poor, the 1877 complaints from Chief Elston Major to the trustees regarding individuals on the Reservation illegally claiming allotments and illegally selling resources, the [REDACTED] to Governor Lee by delegations of both the Pamunkey and the Mattaponi to aid in the protection of their reservation rights, and the circa 1890 Mooney Circulars that name the Tribe’s Chiefs as [REDACTED] and, on one filled out by Pamunkey Chief W.A. Bradby, [REDACTED] (Trustees of the Mattaponi Indian Tribe meeting notes, 1799 - 1887, *King William County Deed Book 6*. King William County Court House, King William, Virginia, 473.; Henry H. Wells, “Correspondence, King WM County April 18, 1868,” *Executive Papers* 1868-1869 (Library of Virginia, Accession 43756, Box 1, Folder 2), [PDF 14].; Green and Littlepage to Governor Kemper, May 6, 1876. Folder: May 1876, Box 3, Executive Papers of Governor James L. Kemper, Virginia State Archives, Library of Virginia, Richmond, Va; Mattaponi Trustees on Behalf of Chief [REDACTED] to Governor Kemper, June 25, 1877, James L. Kemper, Executive Papers, Library of Virginia, Accession Number 43755, Box 4, Folder 8; Staff, “Indians Call on Gov. Lee,” *The Evening Star* (Washington D. C.), July 31, 1889; Mooney, James. James Mooney: Virginia Circulars B.A.E. Ms. #2190 Manuscript 2190, 1889, National Anthropological Archives, Smithsonian Institution, National Anthropological Archives, Washington, D.C.). The existence of such evidence and the tribal government’s continued administration of the Mattaponi Indian Reservation, supports a presumption of continuity in line with the Department of Interior’s evaluation standards, including that the Department will not require the demonstration of political influence or authority at every point in time (83.10 (a)(2)) and that it will take into account historical situations for which evidence is demonstrably limited (83.10 (b)(2)).

⁵³ Other references to the Commonwealth of Virginia acknowledging Tribal Laws appear in the following materials: Custalow, C. G. F., “Brief ‘History’ of Mattaponi Reservation,” *The Tidewater Review* (West Point, VA), January 13, 1938; Staff, “George F. Custalow, Chief Of Mattaponi Indians, Dies,” *Richmond Times Dispatch* (Richmond, VA), March 19, 1949; Staff, “Mattaponi Chief Passes On,” *Richmond Times Dispatch* (Richmond, VA), March 24, 1949; Staff, “Indian Chief Custalow Given Tribal Burial,” *The Tidewater Review* (West Point, VA), March 24, 1949; Staff, “George F. Custalow,” *Newport News Daily Press* (Newport News, VA), March 22, 1949; Letter from Attorney General to the Governor, 4 June 1918, Governor Davis, Westmorland., Executive Papers, Accession 21567a, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 23, Folder 11, PDF Page 17.

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Date	Excerpt
	<p>On motion of [REDACTED] and second by [REDACTED] that no citizen on Reservation shall not rent their land or lot to any person or persons living outside of Reservation, if so the penalty will be fixed on such citizen as found guilty, carried.</p> <p>Chapter 6</p> <p>On motion of [REDACTED] and second by [REDACTED] that any Indian Brave or Squaw go out and marry anyone that can't give satisfaction to the tribe such Indian that violates this law shall be disband. Carried.</p> <p>On motion of [REDACTED] and second by [REDACTED] all taxes to be paid before moving on Reservation, Carried.⁵⁴</p>
<p>May 28, 1914</p>	<p>Duties of the Trustees of the Mattaponi Tribe and the Tribe to the Trustees as follows [...]</p> <p>[Election of Trustees]</p> <p>The duties of the said Trustees shall be as follows: that in any case of controversy differences or disagreements between those now citizens of said Town, the trustees shall be called in to arbitrate the matter only when it has become impossible for the Tribe to be settled amicably between themselves that in each case the Trustees shall render a fair and impartial judgement according to the laws of Mattaponi tribe. Regardless of fear or favor from which judgement, however an appeal may be taken to the circuit court of said county. That the Trustee when requested shall regarding matters that concern the town in improvement progress [PDF Page 9] And otherwise. Crimes and Criminal cases being not within the jurisdiction of the Trustees, are to be referred to the officer of the Commonwealth having honored the said Trustees, By electing them as their choice. It shall be the duty of duty of each citizen of the said Reservation to treat the said Trustees with honor and respect, courtesy and dignity that their positions demand. In as much as the Trustees are rendering their services [free?], it shall be the Duty of Each citizen of said Reservation to call on the Trustees to [arbitrate?] any matter only when it becomes impossible for them to settle [affairs?] between themselves and not call in the trustees in trivial matters and on slight provocation.⁵⁵</p>
<p>June 16, 1914</p>	<ol style="list-style-type: none"> 1. Any citizen hold lots or land on Reservation from this date June 16th 1914, have to be given by the Chief and Tribe, and such persons shall be entitled to pay rent for each year they are in possession of said lot or land until they build there on a dwelling and occupy same. Carried 2. Any citizens that are rebellious and rude and will not be governed by the Laws now in act on the Reservation shall be expelled from the Reservation for two years on first offence and shall double for second offence, for third offence for lifetime. Carried. 3. In case there be no vacant lot, the larger lot are to be divided with those who have no lot at all provided such persons have complied with the laws of the Reservation. Carried 4. Any citizen caught swearing or acting disorderly on the public on said Reservation shall be compelled to pay a fine of 2 two dollars and fifty cents. And no more than five dollars for second offence. Double the amount. If any citizens are caught doing any unlawful act lying, making a disturbance, and stealing, they shall be made to pay a fine of five dollars and not more than ten dollars for the first offence second offence Double the amount.

⁵⁴ Law Ledger, 24 March 1914, [REDACTED] Private Collection, PDF Page 7.

⁵⁵ Law Ledger, 28 May 1924, [REDACTED] Private Collection, PDF Pages 9-10.

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Date	Excerpt
	<p>So regarding Fatherless and Motherless children being very young or under age and have been left in possession of House & lot such children shall be entitled to hold the lot and house so long as they live on said lot and occupy the house. If said children or ken [sic] leave the lot for two years the lot or land goes back to the Reservation and the improvements are sold to pay taxes and if there for any of the proceeds of said Buildings remaining go to said children or persons.</p> <p>No citizen that laws on Reservation who are in possession of a lot shall not sell their improvement to a citizen of said Reservation with the intention of giving the buyer a title to the land, such person only can sell with the understanding that the Building have to be removed off said lot on land, title only can be given to lots on lands by the chief and tribe. After this the meeting adjourned Carried</p> <p>Citizen shall petition Tribe for reinstatement for lot or land. Tribe has to allot land to citizen, property or lot is personal property and can be sold at will. Any citizens of Tribe can reside except as voted on wives or husbands of Caucasian.⁵⁶</p>
October 16, 1914	<p>It has been known as a custom, that all timber on Reservation is Reserved for the benefit of each and every citizen to use for building and firewood unless the timber is sold by permit of the Town for the benefit of the Treasury. This is written law ⁵⁷</p>
November 16, 1914	<p>On motion of [redacted] and second by [redacted] that any citizen that moves off the Reservation to Reside for 2 years then return back to the Reservation after the expiration of two years Such person shall be compelled to live on his lot for six months before leaving again. Carried.</p> <p>On motion of [redacted] and second by [redacted] that any person that lives off the Reservation shall be Compelled to pay one dollar per year for the privilege of landing his boat and nets on the shore of the Reservation. Carried.</p> <p>It has been decided by the tribe of the Reservation that any citizens above eighteen years of age who should fail to work the roads when called by the chief and tribe shall pay a penalty of one dollar per day.⁵⁸</p>
September 10, 1916	<p>On motion [redacted] second by [redacted] that all officers should give ninety days notice before resigning their office and the reservation shall give ninety days notice before impeaching one of their officers. On motion of [redacted] and second by [redacted] Allmond that all officers shall be sworn [sic] (in) and all local members shall be sworn to sustain all laws and uphold the laws of the Reservation, Carried.⁵⁹</p>
March 10, 1917	<p>Motion [redacted] Second [redacted] On or before April 9- 1917 All persons landing their boats and their nets on the Reservation shore shall pay their rent 50 cents per boat Carried. Motion [redacted] Second [redacted] taxes be paid on or before April 9 each year carried. Motion [redacted] second [redacted] Land rents be paid on Oct 25 each year.⁶⁰</p>

⁵⁶ Law Ledger, 16 June 1914, [redacted] Private Collection, PDF Pages 9-10.

⁵⁷ Law Ledger, 16 October 1914, [redacted] Private Collection, PDF Page 10.

⁵⁸ Law Ledger, 16 November 1914, [redacted] Private Collection, PDF Page 11.

⁵⁹ Law Ledger, 10 September 1916, [redacted] Private Collection, PDF Page 13.

⁶⁰ Law Ledger, 10 March 1917, [redacted] Private Collection, PDF Page 14.

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Date	Excerpt
January 7, 1918	All school expenses be paid out of Town Treasure Carried. ⁶¹
April 10, 1918	Motion [redacted] Second [redacted] Only hire 90 days or 3 month can hire on the reservation then they have to leave for 30 days before they can come back for 30 days before they can come back for rehire to sleep under a roof. Fine 10 dollars for this violation. ⁶²
May 14, 1919	Fence law shall be enforced. ⁶³

Enforcement of Tribal Laws

During this period, the Tribal Council developed and enforced tribal law. Several instances arose in which the tribal government sanctioned tribal members.⁶⁴ This includes [redacted] sanction for selling pulp wood and resignation during the same meeting, a likely requirement as he had failed to uphold the laws of the Tribe (October 16, 1914). Likewise, [redacted] was found guilty of violating tribal law through unlawful rental of land to the Chesapeake Corporation for storing pulp wood. She was fined \$10.00 and had her rights withheld until the fine was paid (September 21, 1917). [redacted] was found guilty of fencing in tribal land outside of his allotment and was ordered to remove the fencing (April 19, 1918). The Tribal Council made decisions on Hester Allmond's debt, though it is unclear what the circumstances of the debt may have been (December 16, 1918).

Table C1-10. Maintaining Social Order, 1900-1919: Enforcement of Tribal Laws.

Date	Excerpt
October 16, 1914	A meeting called to settle a case against [redacted] for cutting and selling pulp wood off the Reservation, it was decided that he should pay the [stumpage?] to the Reservation. [...] [redacted] offer up his resignation as officer of the Reservation and it was received satisfactory by the Town. ⁶⁵
September 21, 1917	Unlawful renting Sept. 21 defendant of [redacted] (found guilty) rented Reservation land to the Chesapeake [sic] Corporation for storage of pulp wood. These lands are within the jurisdiction of the Chief and Council and are held in trust by the State. Motion [redacted] Chief second [redacted] that the fine of \$10.00 shall be rendered on the said [redacted] for violating Tribal laws in regards to renting lots on land and [redacted] shall not be entitled to [more?] rights on the Mattaponi Indian Reservation, until her debt is paid satisfactorily to the Tribe by her [redacted] Chief. ⁶⁶

⁶¹ Law Ledger, 7 January 1918, [redacted] Private Collection, PDF Page 15.

⁶² Law Ledger, 10 April 1918, [redacted] Private Collection, PDF Page 16.

⁶³ Law Ledger, 14 May 1919, [redacted] Private Collection, PDF Page 17.

⁶⁴ For ease of analysis, we are including all individual sanctions here as well, though some have been discussed in other sections.

⁶⁵ Law Ledger, 16 October 1914, [redacted] Private Collection, PDF Pages 10-11.

⁶⁶ Law Ledger, 21 September 1917, [redacted] Private Collection, PDF Page 15.

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Date	Excerpt
April 10, 1918	[REDACTED] guilty of possessing and taking possession of Reservation lands did fence and enclose same. By 4-12-1918 ordered to remove fence and enclosure. ⁶⁷
December 16, 1918	[REDACTED] debt- sell corn to pay debt. [REDACTED] Crops given to her son [REDACTED] (or proceeds). ⁶⁸

Conclusion

The maintenance of tribal laws demonstrates the Tribe’s exertion of “strong influence on the behavior of individual members, such as the establishment or maintenance of norms or the enforcement of sanctions to direct or control behavior” (83.11 (c)(2)(i)(C)) and the existence of mechanisms to “allocate entity resources,” (83.11 (c)(2)(i)(A)). The role of the Tribal Council in enforcing those laws demonstrates the presence of “internal conflicts that show controversy over valued entity goals, properties, policies, processes, or decisions” (83.11 (c)(1)(v)), such as conflicts over how resources should be utilized, and the Tribal Government’s ability to “settle disputes” or mediate relationships between individual members or between individuals and the group (83.11 (c)(2)(i)(B)).⁶⁹ Moreover, the acquiescence to tribal law demonstrates that the “membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance” (83.11 (c)(1)(ii)) and the mandatory attendance of community members in tribal meetings that “there is widespread knowledge, communication, or involvement in political processes by many of the entity’s members” (83.11 (c)(1)(iii)).

Political Participation

In the period from 1900 to 1919, there was clear and consistent political participation by tribal members, especially those residing on the Mattaponi Indian Reservation. This included attendance at tribal meetings, participation in elections, and serving the community through election to the tribal council and through appointments made by the tribal government.

Meeting Attendance

As discussed above, the Tribal Council passed a law in 1914 making meeting attendance mandatory and imposing a fine on those who missed a meeting without a valid excuse. The table below summarizes extant attendance records for tribal meetings during this period. Those members attending, in line with the prevailing restrictions on women’s political participation during this period, were adult male tribal members and were likely those who headed households on the Reservation. During this period an average of 10 individuals attended tribal meetings. It appears that during this period, all meetings were Town Meetings.

Table C1-11. Political Participation, 1900-1919: Meeting Attendance.⁷⁰

Date	Type of Meeting	Number of Participants
March 24, 1914†	Town Meeting and Election	8
May 28, 1914	Trustee Election	10

⁶⁷ Law Ledger, 19 April 1918, [REDACTED] Private Collection, PDF Page 16.

⁶⁸ Law Ledger, 16 December 1918, [REDACTED] Private Collection, PDF Page 17.

⁶⁹ Examples of internal conflicts from 1900-1919 include [REDACTED] unlawfully renting land to the Chesapeake Corporation in 1917 for storing pulp wood. She was found guilty of violating tribal law by renting to someone outside of the Reservation and was fined \$10.00 and had her rights withheld until full payment was made. [REDACTED] was also found guilty in 1918 for possessing and fencing in tribal land outside of his allotment, and he was ordered to remove the fencing.

⁷⁰ Meeting Attendance for dates listed in this table can be found in in Law Ledger. 1914-1977. [REDACTED] Private Collection.

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Date	Type of Meeting	Number of Participants
April 19, 1916	Town Meeting	10
July 28, 1916 [†]	Town Meeting and Election	8
September 10, 1916	Town Meeting	10
June 1, 1917	Town Meeting	12
February 27, 1918 [†]	Town Meeting and Election	10
April 10, 1918	Town Meeting	11

[†]Signifies meetings at which the community was asked to vote on a particular issue including formal elections.

Elections

During the period from 1900 to 1919, elections within tribal meetings were the main mechanism through which tribal members chose leaders. Specifically, the Tribe elected the Council and Officers within the confines of tribal meetings. The Tribe also met to select the Trustees that would serve the community in the ways laid out above. The Council during this period was made up of a Chief, a Second Chief, and Headmen or Council Members (March 24, 1914, July 28, 1916), and a Secretary / Treasurer (July 28, 1916).

Table C1-12. Political Participation, 1900-1919: Elections.

Date	Excerpt
March 24, 1914	<p>Mattaponi Reservation Council for business for purpose of Electing Chief and second Chief, and such officers as necessary. [Attendance]</p> <p>On motion of [REDACTED] and second by [REDACTED] that we elect [REDACTED] for Chief for two years. Carried.</p> <p>On motion [REDACTED] second by [REDACTED] that we elect [REDACTED] for second chief, carried.</p> <p>Chapter 2</p> <p>On motion of [REDACTED] and second by [REDACTED] that we will elect [REDACTED] for Head man. Carried. On motion of [REDACTED] and second by [REDACTED] that we will elect [REDACTED] for head man carried.</p> <p>Chapter 3</p> <p>Now after the Election and Town Council being organized, now we proceed to business.⁷¹</p>
May 28, 1914	<p>Moved by Chief Custalow [George Forrest Custalow Sr.; b.1865 – d.1949] that K.G. Allmond [Kallie Gustin Allmond; b.1872 – d.1919] be elected as Clerk, moved by Chief Custalow that James A. Lacy be elected Trustee</p> <p>Election and Laws Continued</p> <p>For the Mattaponi Tribe. Moved by Arthur Allmond [Arthur Governor Allmond; b.1884 – d.1958] that W.C. Trimmer be elected as Trustee. Moved by Chief Custalow that Everett Edwards be elected as trustee. Moved by Arthur Allmond [Arthur Governor Allmond; b.1884 – d.1958] that Mr. Everett Edwards be elected Chairman of the board of Trustees.⁷²</p>
October 16, 1914	<p>On motion of Powhattan Major [Powhatan Major; b.1888 – d.1934], and second by Geo. F. Custalow Jr. [George Forrest Custalow Jr.; b.1893 – d.1978] That the town will elect Arthur Allmond [Arthur Governor Allmond; b.1884 – d.1958] in place of Wallace Allmond [John Wallace Allmond; b.1880 – d.1921]. Carried. On motion of Powhatan</p>

⁷¹ Law Ledger, 24 March 1914, [REDACTED] Private Collection, PDF Page 7.

⁷² Law Ledger, 28 May 1914, [REDACTED] Private Collection, PDF Pages 8-9.

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Date	Excerpt
	<p>nd second by [redacted] that the town will elect [redacted] the Chief for Treasurer holder. Carried.⁷³</p>
November 16, 1914	<p>On motion of [redacted] & second by [redacted] that the Treasurer wife shall be his security [<i>sic</i>], Carried.⁷⁴</p>
April 19, 1915	<p>A meeting was called by chief & Council of the Mattaponi Reservation for the purpose of giving [redacted] A lot to build on and to give [redacted] and [redacted] their votes.</p> <p>On motion of [redacted] and second by [redacted] that [redacted] shall shall [<i>sic</i>] have his vote by giving up the lot he [held from?] the Reservation and upon this Reservation the said [redacted] did give up possession of the lot with [permission?] of the Chief and Tribe, and the said [redacted] was given a vote.</p> <p>On motion of [redacted] and second by [redacted] that [redacted] shall be given a vote.⁷⁵</p>
July 28, 1916	<p>A meeting called to elect a board of officers, on motion of [redacted] and second by [redacted] that we will Elect Arthur Allmond [Arthur Governor Allmond; for chief so long as he does justice and gives satisfaction to the Tribe. Carried.</p> <p>On motion of [redacted] and second by [redacted] that we elect [redacted] head man under the same head as Chief is elected, Carried.</p> <p>On [motion] of [redacted] and second by [redacted] that we will elect [redacted] for a head man as above officers, Carried.</p> <p>On motion of [redacted] and second by [redacted] that we will elect [redacted] For a headman as above officers, Carried.</p> <p>On motion of [redacted] and second by [redacted] that we will elect [redacted] for a Head man as above officers, Carried.</p> <p>After the Board of Officers being Elected now we adjourned.⁷⁶</p>
June 1, 1917	<p>A meeting called for to elect the following gentlemen for Trustees sworn Trustees for the Mattaponi Tribe W. C. Davis, W.S. Timberlake</p> <p>Motion [redacted] second [redacted] Chief adjourned.⁷⁷</p>

⁷³ Law Ledger, 16 October 1914, [redacted] Private Collection, PDF Pages 10-11.
⁷⁴ Law Ledger, 16 November 1914, [redacted] Private Collection, PDF Page 11.
⁷⁵ Law Ledger, 19 April 1915, [redacted] Private Collection, PDF Page 11.
⁷⁶ Law Ledger, 28 July 1916, [redacted] Private Collection, PDF Page 13.
⁷⁷ Law Ledger, 1 June 1917, [redacted] Private Collection, PDF Page 14.

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Date	Excerpt
February 27, 1918	Meeting called to accept Resignation of [REDACTED] as Chief of the Mattaponi Indian Tribe give him a bound of thanks for his past service and to elect chief to take his place. Motion [REDACTED] second [REDACTED] that we accept his resignation Moved [REDACTED] second [REDACTED] lec [REDACTED] Chief so long as he serves his tribe satisfactory and extends justice. Carried. ⁷⁸

Assignments of Responsibility

In addition to elections, Tribal Meetings witnessed the assignment of duties to Tribal Members. Some of these were related to sanctions and have already been discussed, others were related to tribal welfare and general governmental functions. Thus, while the participation of women in formal meetings did not happen, it does appear that they were allowed to participate in support roles, such as secretary to the Treasurer (November 16, 1914). Additionally, tribal members were called upon to take responsibility for the delivery of the Tribute (April 19, 1916) and to provide oversight of the school (January 7, 1918).

Table C1-13. Political Participation, 1900-1919: Assignments of Responsibility.

Date	Excerpt
November 16, 1914	On motion of [REDACTED] & second by [REDACTED] that the Treasurer wife shall be his security [<i>sic</i>], Carried. ⁷⁹
April 19, 1916	On motion of [REDACTED] second by [REDACTED] That Tribute be paid to the Governor of Virginia Carried. Decided that Chief and [REDACTED] will carry the tribute. ⁸⁰
January 7, 1918	[REDACTED] appointed school Trustee. ⁸¹

Membership and Votes

Finally, tribal members came forward during tribal meetings to obtain the right to vote (April 19, 1915) and to request membership (October 7, 1915). The vote itself was a privilege conferred to male tribal members above the age of eighteen within the context of tribal meetings and often coincident with the assignment of allotments on the reservation. For example, in later periods members requested reinstatement to the reservation which would have to be approved by the Tribal Council before calling for a lot. Once reinstated, there was a six-month waiting period before the vote was conferred to a new member.

Table C1-14. Political Participation, 1900-1919: Membership and Votes.

Date	Excerpt
April 19, 1915	A meeting was called by chief & Council of the Mattaponi Reservation for the purpose of giving [REDACTED] A lot to build

⁷⁸ Law Ledger, 27 February 1918, [REDACTED] Private Collection, PDF Page 16.
⁷⁹ Law Ledger, 16 November 1914, [REDACTED] Private Collection, PDF Page 11.
⁸⁰ Law Ledger, 19 April 1916, [REDACTED] Private Collection, PDF Page 12.
⁸¹ Law Ledger, 7 January 1918, [REDACTED] Private Collection, PDF Page 15.

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Date	Excerpt
	<p>on and to give [redacted] and [redacted] their votes.</p> <p>On motion of [redacted] and second by [redacted] that [redacted] shall shall [sic] have his vote by giving up the lot he [held from?] the Reservation and upon this Reservation the said [redacted] did give up possession of the lot with [permission?] of the Chief and Tribe, and the said [redacted] as given a vote.</p> <p>On motion of [redacted] and second by [redacted] that [redacted] shall be given a vote.⁸²</p>
October 7, 1915	<p>A meeting called by Chief & Council for the purpose of receiving [redacted] as a member of this Tribe.</p> <p>On motion of [redacted] and second by [redacted] that they will receive [redacted] as a member of this Tribe. Carried.⁸³</p>

Conclusion

The Mattaponi tribal community’s participation in tribal meetings, and elections, the service of individual members as officers of the government through those elections, the service of tribal members as responsible parties for community activities such as tribute and the Mattaponi Indian School, and the presentation of members to the Tribal Council in tribal meetings to obtain membership or voting rights are all indicative of the political authority of the tribe. These acts of political participation demonstrate the Tribe’s ability to “mobilize significant numbers of members and significant resources from its members for entity purposes” (83.11 (c)(1)(i)), that “the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance” (83.11 (c)(1)(ii)), and that “there is widespread knowledge, communication, or involvement in political processes by many of the entity’s members” (83.11 (c)(1)(iii)). Moreover, the material presented in this section clearly demonstrates the presence of “a continuous line of entity leaders and a means of selection or acquiescence by a significant number of the entity’s members” (83.11 (c)(1)(viii)). Finally, the political participation described above is indicative of the ability of the tribal government to “exert strong influence on the behavior of individual members” (83.11 (c)(2)(i)(C)) and to organize or influence “shared or cooperative labor” (83.11 (c)(2)(i)(D)) such as through the assignment of governmental responsibilities to officers and other appointed individuals.

External Relations

During the period of 1900 to 1919, the Mattaponi Indian Tribe had formal and informal interactions with state, local, federal, and tribal authorities. These interactions were characterized by efforts of the Mattaponi tribal government to obtain public services for the Tribe, safeguard the rights of its members, and to protect the resources of the reservation, and to continue the tribute relationship that helped to guarantee those rights and resources.

Protection of Indian Status

The Mattaponi Tribal Council faced pressing issues between 1900 and 1919 regarding Indian status, particularly with regard to the Selective Service Act. The Mattaponi joined forces with the neighboring

⁸² Law Ledger, 19 April 1915, [redacted] Private Collection, PDF Page 11.

⁸³ Law Ledger, 7 October 1915, [redacted] Private Collection, PDF Page 12.

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Pamunkey Indian Tribe to advocate for the Indian status of their tribes and the rights of tribal members, working directly with the Commonwealth of Virginia to argue for exemptions from military conscription and hunting and fishing licensure requirements.

Selective Service

The Selective Service Act was passed in 1917 and permitted the federal government to conscript citizens into the army.⁸⁴ Non-citizen Indians were exempt from the draft, and the laws defined Indians as citizens if any of the following applied:

- (1) he, or his father or mother, prior to his birth or before he attained the age of 21, was allotted land prior to May 8, 1906; or (2) if he was allotted land subsequent to May 8, 1906, and received a patent in fee to his land; or (3) he was residing in the old Indian Territory on March 3, 1901; or (4) if he lives separate and apart from his tribe and has adopted the habits of civilized life.⁸⁵

The Mattaponi, particularly those living on the Mattaponi Indian Reservation, would not fall under these strictures and would thus be considered non-citizen Indians. [REDACTED] later recollected his role in ensuring that tribal status was recognized:

In the World War the United States War Department at Washington, D. C., drafted my braves on the Reservation for camp training. I protested at the headquarters of the War Department to release my young braves, as they are tribal Indians and wards of the State of Virginia. They were exempted by the military authority.⁸⁶

The Selective Service Act was passed on May 18, 1917, and by June the Commonwealth Attorney General was receiving inquiries as to the tax status of the tribes, which were likely related to exemption from the draft and the efforts of the chiefs of the Mattaponi and Pamunkey. At any rate, the Attorney General affirmed both the Pamunkey and the Mattaponi's non-taxed status and consideration as "wards of the state" (June 26, 1917). By August, Governor Stuart was inquiring into the situation and specifically noting that the tribes claimed exemption due to their status as "not citizens, having no vote and paying no taxes" (August 16, 1917). The Provost Marshall General of the United States referred the ultimate decision to the Commonwealth, referring them to the regulations and enjoining them to determine whether the Mattaponi and Pamunkey were subject to the draft and underscoring that they must register regardless (August 18, 1917; August 21, 1917). Ultimately the Attorney General made the call, first for Pamunkey (December 10, 1917) and then for the Mattaponi (January 25, 1918), though the matter continued to be an issue of contention, with local draft board officials handwriting "I consider him a citizen" on the draft cards of several tribal members who selected "non-citizen" as their Indian classification.⁸⁷ The episode, it seems, was more about ensuring the recognition of the Tribe's continuing status as non-citizen Indians or Indians Not Taxed as several tribal members went on to serve.⁸⁸

⁸⁴ Public Law. 65-12: Selective Service Act of 1917. (40 Stat. 76, enacted May 18, 1917).

⁸⁵ Selective Service Regulations: Prescribed by the President Under the Authority Vested in Him by the Terms of the Selective Service Law, (Washington, DC: Government Printing Office, 1918), 52.

⁸⁶ Custalow, C. G. F., "Brief 'History' of Mattaponi Reservation," *The Tidewater Review* (West Point, VA), January 13, 1938. See also: Staff, "Many Changes in Reservation Made by Mattaponi Chief," *Richmond Times Dispatch* (Richmond, VA), January 3, 1938; Staff, "Virginia Indian Chief Completes 24th Year," *Greene County Record* (Standardsville, VA), January 6, 1938.

⁸⁷ See, for example, the WWI Draft Cards of [REDACTED] and [REDACTED]; WWI Draft Registration Cards, National Archives and Records Administration, Washington D.C. https://www.fold3.com/image/554350895?terms=custalow_george.

⁸⁸ The interpretation that Virginia's reservation tribes, the Pamunkey and the Mattaponi, fit into this category is evident throughout history and particularly in the exclusion of the reservations from several censuses in the 1800s and their inclusion as "Indians not taxed" in the 1870 census and the Commonwealth's opinions throughout time. The status of non-citizen itself is rooted in the status

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Table C1-15. External Relations, 1900-1919: Indian Status in the Selective Service.

Date	Excerpt
June 26, 1917	<p>INDIANS-Taxation. - So long as the tribes of the Pamunkey and Mattaponi Indians follow up their pursuits upon their reservations, they are governed by their own tribal laws and are not subject to taxation by the laws of the State of Virginia.</p> <p>Same.-Status of Pamunkey and Mattaponi Indians.-The Pamunkey and Mattaponi Indians of Virginia are wards of the State just as the Indian under the guardianship of the United States are wards of the Nation</p> <p>Same.-Statutes of Virginia relating to Indians referred to.</p> <p>RICHMOND, VA., June 26, 1917.</p> <p>MR. C. LEE MOORE, Auditor of Public Accounts, City.</p> <p>DEAR SIR: I acknowledge reference to this office of copy of your letter of June 23, 1917, to Mr. H. W. Neale, commissioner of revenue of King William county, in which you express opinion that the tribes of Pamunkey and Mattaponi Indians were exempt from all taxes, State, local, and otherwise, and requesting me to advise you as to the correctness of your opinion.</p> <p>I am of the opinion that you have correctly construed the law as to these tribes of Indians, for so long as they follow up their pursuits upon the reservation, they are govened [sic; governed] by their own tribal laws and are not subject to taxes by the laws of the State of Virginia.</p> <p>[...] I think it is fair to assume from all of these various acts that the Pamunkey and Mattaponi Indians of Virginia, are wards of the State, just as the Indians under the guardianship of the United States are wards of the nation. It has been the policy of both State and nation not to subject their wards to taxation. I am of the opinion, therefore, that your letter is clearly right.</p> <p>Very truly yours, LESLIE C. GARNETT,</p>

of Indians Not Taxed, a turn of phrase with its origins in the Constitution and specifically, the language on apportionment in Article 1, Section 2, Clause 3, which states:

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and *excluding Indians not taxed*, three fifths of all other Persons (“The Constitution of the United States: A Transcription,” <https://www.archives.gov/foundingdocs/constitution-transcript>).

The reference to taxation here was a shorthand, describing more that presumed status as Indians in tribal relations rather than taxation:

The Constitution contains three explicit references to Indians, in the two apportionment clauses and in the commerce clause. Article 1, section 2, clause 3 and section 2 of the fourteenth amendment exclude “Indians not taxed” for purposes of calculating the representation apportioned to each state in the House of Representatives. While some erroneously believe that these clauses create a general tax exemption, that was not their intent. Rather, the reference to “Indians not taxed” “was a short-hand way of describing Indians who continued their tribal relations (Goldberg, Carol E. et al., *American Indian Law: Native Nations and the Federal System*, New Providence, New Jersey: LexisNexis, 2010, 492).

The Commonwealth, viewing the Tribe as “wards of the State, just as the Indians under the guardianship of the United States are wards of the nation,” clearly saw the Pamunkey and Mattaponi as unequivocally fitting within the status of Non-Citizen Indian and Indian Not Taxed (*Annual Report of the Attorney General to the Governor of Virginia for the Year 1917*. (Richmond, Virginia: Davis Bottom, Superintendent of Public Printing, 1918), 160).

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Date	Excerpt
	Assistant Attorney General. ⁸⁹
August 16, 1917	<p>The Provost Marshal General Washington, D.C.</p> <p>Sir: There are in this State two small tribes of Indians- the Pamunkey tribe and the Mattaponi tribe. On May 22, 1917, I inquired of you in my telegram #3 for a ruling as to how Indians on State reservations, not recognized by the Federal Government, should register, to which you replied in your telegram #111 that their registration was to be accomplished in the same manner as other residents in which they resided. This was done.</p> <p>These Indians are not citizens, having no vote and paying no taxes, and they claim exemption from military draft on that ground. Will you please advise what should be done. These Indians preserve the same form of tribal government as existed in the days of King Powhatan three hundred years ago.</p> <p>H.C. Stuart Governor of Virginia.⁹⁰</p>
August 18, 1917	<p>August 18, 1917. Honorable H.C. Stuart, Governor of Virginia, Richmond, Va.</p> <p>Dear Sir:</p> <p>I have your letter of August 16, 1917, relating to the two tribes of Indians in Virginia. While all Indians must register under the Selective Service Law Section 5, only those Indians who are citizens are liable for Military Service, under Section 2 of said act. The registration of Indians is provided for under Section 71 of the Registration Regulations. If the reservations in Virginia do not come within the provisions of this Section, Indians should be registered before the Local Boards having jurisdiction in their locality. Where an Indian is not a citizen, and who registers in compliance with the Law, they should file a claim of exemption under Section 18, Subsection "F" of the Rules and Regulations prescribed by the President.</p> <p>Very truly yours, Maj. Stewart Provost Marshal General.⁹¹</p>
August 19, 1917	<p>INDIANS THINK THEY ARE EXEMPT FROM WAR DUTY</p> <p>Gov. Stuart, at request of Virginia Aborigines, Asks Provost Marshal for Decision.</p> <p>Are Indians who pay no taxes, who have no votes, liable for military duty? That question has been raised here by the Pamunkey and Mattaponi Indians, living a few miles below this city. They say that they do not pay any taxes, they do not vote, they do not serve on juries, are not recognized as citizens of the state and they live on a reservation assigned to them</p>

⁸⁹ *Annual Report of the Attorney General to the Governor of Virginia for the Year 1917*, (Richmond, Virginia: Davis Bottom, Superintendent of Public Printing, 1918), 160. See Also: Copy of Report of the Attorney General in Governor Godwin, Mills E. Executive Papers, Accession 29660, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 14, Folder "Indians 1975," PDF Page 8.

⁹⁰ Letter Series: Provost Marshal and Governor Stuart, August 1917, State Files 1917-1919, National Archives and Records Administration, RG 163: Records of the Provost Marshal General's Office 1917-1918, College Park, Maryland, PDF Page 5.

⁹¹ Letter Series: Provost Marshal and Governor Stuart, August 1917, State Files 1917-1919, National Archives and Records Administration, RG 163: Records of the Provost Marshal General's Office 1917-1918, College Park, Maryland, PDF Page 4.

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Date	Excerpt
	years and years ago. They are forever free to do as they please so long as they violate no laws. They do not understand how it is that they are to be called for military duty. ⁹² [...]
August 21, 1917	<p>Indians are not subject to the selective draft, according to a ruling received yesterday by Governor Henry C. Stuart from Provost-Marshal-General Crowder, who was asked to pass on the status of the Pamunkey and Mattaponi tribes. The Indians were required to register, but if not citizens of the State need not serve in the army.</p> <p>Chief G.M. Cook, of the Pamunkey tribe, raise the point last week in a conference with Governor Stuart. The office of the Attorney-General ruled that the members of both tribes were wards of the State, not subject to taxation and not citizens.⁹³ [...]</p>
December 10, 1917	<p>INDIANS-Pamunkey Indians-Chapter 769, Acts of 1895-6.-All members of the Pamunkey tribe of Indians who reside on the reservation are exempt from military service under the federal selective draft act, but such Pamunkey Indians as live separate and apart from their tribe are liable to military service under the said draft act.</p> <p>Richmond, VA., December 10, 1917.</p> <p>His Excellency, H. C. STUART, Governor of Virginia, Richmond, Virginia.</p> <p>DEAR SIR: Acknowledgment is made of your letter of December 8th, enclosing a copy of the rules adopted by the Commissioner of Indian Affairs in determining questions resented by claims of exemption from military service under the selective draft act, filed by Indians. The ruling reads as follows:</p> <p style="padding-left: 40px;">Indians who live separate and apart from their tribe, and have adopted the habits and ways of civilized life are to be regarded as citizens and these Indians should be considered as coming within the purview of the rules and regulations as being male citizens and male persons who are liable to military service under the draft.</p> <p>You ask me to advise you whether the Pamunkey Indians are under this ruling exempt from military service under the selective draft act.</p> <p>This tribe of Indians occupies a reservation on the Pamunkey river in the county of King William, Virginia. Their separate existence as an Indian tribe has been frequently recognized by Virginia when a Colony and since becoming a Commonwealth. As far back as 1658 the land now occupied by them was confirmed to them by the Governor and Council and the Grand Assemblée of Virginia. (See Indians Colonial and State Laws, being E-93, U-58 in the State Library.) And, as late as 1896, the General Assembly passed an act recognizing the existence of the reservation and making an appropriation for losses sustained by destruction of property and expense incurred to prevent the spread of small-pox among the Indians. (Acts 1895-6, page 847.)</p> <p>As a matter of fact there now reside on this reservation something more than 100 members of this tribe. They maintain a separate government and have their own code of laws enforced by their own authorities. (See "Pamunkey Indians of Virginia" by Jno. Garland Pollard-In Smithsonian Contributions to Knowledge 1894.)</p> <p>In view of the ruling of the Commissioner of Indian Affairs, approved by the Provost Marshal General, and in view of the statutes of Virginia and of the well known fact that this tribe does now maintain a separate government on its own reservation, I am of the opinion that all members of the Pamunkey tribe of Indians who reside on said reservation are exempt from military service under the selective draft act; but such Pamunkey Indians as live separate and apart from their tribe are liable to military service under the said draft act.</p>

⁹² Staff, "Indians Think They Are Exempt from War Duty," *Washington Sunday Star* (Washington D. C.), August 19, 1917.

⁹³ Staff, "Indians Not Subject to Selective Draft," *Richmond Times-Dispatch*, (Richmond, VA), August 21, 1917.

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Date	Excerpt
	<p>Yours very truly, JNO. GARLAND POLLARD, Attorney General.⁹⁴</p>
<p>January 25, 1918</p>	<p>STATUS OF INDIAN TRIBES UNDER SELECTIVE SERVICE DRAFT ACT RICHMOND, VA ., January 25, 1918.</p> <p>His Excellency, H. C. STUART Governor of Virginia, City.</p> <p>DEAR SIR: Acknowledgment is made of your letter of January 24, 1918, enclosing communication from the chief of the Mattaponi tribe of Indians, together with a copy of the tribal law, in which you say:</p> <p>Kindly refer to the recent rulings of Attorney General Pollard concerning the Pamunkey tribe and its status in relation to the Selective Draft, and give me your opinion as to the status of the Mattaponi.</p> <p>From the information before me it appears that the Mattaponi tribe of Indians is a branch of the Pamunkey tribe; that this tribe has a reservation in King William county, which resides about seventy members of the tribe. They maintain a separate government, and have their own code of laws enforced by their own authorities. [...]</p> <p>In view of these facts, I am of the opinion that the members of the Mattaponi tribe of Indians come within the ruling of Attorney General Pollard in his opinion to you dated December 10, 1917, in reference to the exemption of the members of the Pamunkey tribe of Indians from service under the Selective Draft Act.</p> <p>Yours very truly, LEON M. BAZILE, Assistant Attorney General.⁹⁵</p>
<p>October 15, 1918</p>	<p>From: The Adjutant General of Va. To: The Provost Marshal General Subject: Classification of Mattaponi Indians.</p> <p>1. The Tribe of Mattaponi Indians in this State live within a reservation of eight hundred acres, three hundred acres only of which are tillable. There are on hundred and twenty-seven people in the Tribe and they claim it is necessary for them to leave the bounds of the Reservation to seek employment at certain seasons of the year in order to support their families.</p> <p>2. They complain that under the rulings of the Commissioner of Indian Affairs made from your office the Local Board, in whose jurisdiction their Reservations lie, grasp the opportunity to place these Indians in Class 1- stating that as they have left the Reservations and adopted the ways of civilized life, by accepting employment off the Reservation, they can be classified the same as declarants would be classified.</p>

⁹⁴ *Annual Report of the Attorney General to the Governor of Virginia for the Year 1917*, Richmond, Virginia: Davis Bottom, Superintendent of Public Printing, 1918, PDF Page 163.

⁹⁵ *Annual Report of the Attorney General to the Governor of Virginia for the Year 1918*, Richmond, Virginia: Davis Bottom, Superintendent of Public Printing, 1919, PDF Pages 88-89.

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	<p>3. This office would appreciate a ruling from your office on this matter, particularly as to how long an absence from the Reservation would warrant the Local Board in reclassifying from Class 5 and hold for Military Service these Indians.</p> <p>Jo Lane Stern ⁹⁶</p>

License Exemption

Similarly, the tribal government appealed to the Commonwealth to protect the hunting and fishing rights of tribal members. [REDACTED] worked alongside Pamunkey Chief George M. Cook to lobby for the continued protection of hunting and fishing rights granted to the tribes through colonial treaties. During this period many Mattaponi occupations were tied to hunting and fishing,⁹⁷ making this a matter with a direct impact on tribal livelihoods. Ultimately, the Commonwealth decided to require permits for off reservation hunting by tribal members.

Table C1-16. External Relations, 1900-1919: Hunting and Fishing Rights.

Date	Description
July 11, 1916	<p>Three hundred years ago, more or less, the white chiefs of the Colony of Virginia and the copper-colored chiefs who reigned over the Pamunkeys and the Mattaponis met at a "big smoke," and there agreed that as long as the James flowed to the sea, the tribesmen should be at liberty to hunt anywhere in the colony without let or hindrance, if at the opening of the hunting season they brought to the Great White Father an annual tribute of game.</p> <p>But at the Big Smoke of 1916, held at the Capitol by the white braves, it was written into the law of the land that after June 17 no man in Virginia shall hunt, except on his own lands, without a license. Which is to prevail- the franchise granted the red men by the "big smoke" of the tradition or the annulment ordered by the Big Smoke 1916?</p> <p>This is the momentous question that was propounded yesterday to Chief Clerk M. D. Hart, of the State Department of the Game and Inland Fisheries, by Chief George M. Cook, of the Pamunkey tribe, and [REDACTED] of the Mattaponis. Their people, they reported, were sore oppressed and had dispatched their chieftains to the Great White Father, Governor Stuart, with instructions to beseech him not to countenance the violation of a compact that has been in force since the days of Captain John Smith and Powhatan.</p> <p>[...] As remnants of a vanished host, the "first Americans" have always been looked upon as wards of the State by most Virginians, and a liberal construction of the new game law in their interest is expected. This was the course taken by the State several years ago when certain people wanted the Indians to pay for the privilege of fishing, those in authority ruling that they could fish without paying the license required of the palefaces.⁹⁸</p>
September 15, 1916	<p>GAME AND FISH-Game Laws-Chapter 152, Acts 1916-Sections 23, 32. Under the provisions of chapter 152, Acts 1916, members of the Pamunkey Tribe of Indians are required to obtain a license to hunt.</p>

⁹⁶ Letter from Virginia Adjutant General to Provost Marshal General, 15 October 1918, Letter Series: Virginia Adjutant General to Provost Marshal General. State Files, 1917-1918, Box 297, National Archives and Records Administration, College Park, Maryland, PDF Page 10.

⁹⁷ See: U.S. Federal Census: Virginia, King William, West Point, 0044. Twelfth Census of the United States, 1900. MF T623 R1241714, Records of the Bureau of the Census, National Archives and Records Administration, Washington D.C.; 1910 U.S. Federal Census: Virginia, King William, West Point, 0047. Thirteenth Census of the United States, 1910. MF T624 R 1633, Records of the Bureau of the Census, National Archives and Records Administration, Washington D.C.

⁹⁸ Staff, "Big Smoke of 1916 Made Heap Bad Law-Indian Chief Appeal to Great White Father Against New Game Act," *Richmond Times Dispatch* (Richmond, VA), July 11, 1916.

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	<p>Richmond, VA., September 15, 1916. Hon. John S. Pasons, Commissioner, Department of Game and Inland Fisheries, Richmond, Va.</p> <p>DEAR SIR: Acknowledgment is made of the letter of I. D. Hart, Esq., chief clerk of the Department of Game and Inland Fisheries, addressed to the Attorney General, bearing date September 13, 1916, in which he asked this office to inform him whether the members of the Pamunkey Tribe of Indians are permitted to hunt off of their own reservation without obtaining the license required by law. Section 32 of chapter 152 of the Acts of 1916 reads as follows:</p> <p style="padding-left: 40px;">"Any person who hunts outside of the limits of his or the adjoining property, except as provided in section 29 of this act, without first obtaining a license permitting him to do so, or any non-resident of the State or alien as hereinbefore provided who hunts in this State, except on his own land, without a license as hereinbefore provided, or who lends or transfers his hunting license to another, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than five nor more than twenty-five dollars, but any resident of the State may hunt upon his own or the adjoining lands in season without obtaining a license, and it shall be unlawful for any person to use or attempt to use the license of another for hunting in this State, or for any person to hunt upon the lands of any gun club, hunting or fishing club, association or preserve, of whatsoever description, public or private, as a member thereof or resident land owner, without having procured in the proper manner a license, nor shall their membership therein be construed to entitle them to hunting or fishing privileges as a resident land owner or bone fide tenant or lessee."</p> <p>It will be seen, therefore, that the only qualification of this section is section 29 of the same act, which reads as follows:</p> <p style="padding-left: 40px;">"All owners and landlords and members of their families and tenants and renters, residing thereon, with the consent of the land owners, may hunt upon their own or adjoining lands without license."</p> <p>These provisions of the act do not give the members of the Pamunkey Tribe of Indians any preference over other persons, and I am of the opinion that they come within the definition of "any person" as mentioned in section 32 of chapter 152 of the Acts of 1916, and are, therefore, required to obtain license to hunt on the lands of other persons unless they come within the exemption provided for in section 29, as last above quoted.</p> <p style="text-align: right;">Yours very truly, JNO. GARLAND POLLARD, Attorney General of Virginia⁹⁹</p>
September 16. 1916	[...] Attorney-General Pollard held yesterday that the Pamunkey Indians may hunt without licenses on their own reservation, but must provide themselves with permits such as are required of all other individuals when hunting on lands not their own. The Indians lose

⁹⁹ *Annual Report of the Attorney General to the Governor of Virginia for the Year 1916*, Richmond, Virginia: Davis Bottom, Superintendent of Public Printing: 1917, Pp. 111-112.

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	their appeal for unrestricted hunting rights, the law recognizing no traditional agreement granting them such a privilege. ¹⁰⁰

Reservation Trespass

Additionally, the tribal government worked to safeguard tribal resources, especially from trespass by the Chesapeake Paper and Pulp Company onto reservation lands, an issue related to the sanctions discussed earlier with regard to the illegal rental of reservation lands to non-tribal members. As [REDACTED] described it later:

The paper mill in West Point. Chesapeake Paper Craft Corporation at West Point, they were using the lands on our Reservation for a storage for their pulp wood. We're talking about before trucks or tractors and trailers this thing came to be different and all of their wood products were moved by water, so they would store their pulpwood Accord [sic; cord], that's what it was back then, on the reservation, moved their barges by tug to the shores of the Mattaponi and load from the Mattaponi to their barges. This was to a major degree, without any compensation for the tribe. Some of the people on the reservation that were utilizing the land without land that had been assigned to them, were receiving some type of compensation. This was in violation of the Tribal law. Back at that time, the chief and council had gone in session, and they had decided that this was improper and it was wrong thing to do. They had requested from the Chesapeake that they would cease using the tribal land for storage space for their pulpwood until these problems could be worked out, and the Chesapeake purely ignored it.¹⁰¹

The record bears out [REDACTED] description. Chief [REDACTED] initially appealed to Governor Stuart on May 10th, then involved the Trustees, who wrote their own appeal to the Governor (June 1, 1917). After this, [REDACTED] appealed again, requesting protection from such trespass (June 12, 1917). The Assistant Attorney General replied with suggestions as to how the Trustees might best pursue legal action on behalf of the Tribe (July 21, 1917; June 4, 1918; June 10, 1918).

Table C1-17. External Relations, 1900-1919: Chesapeake Paper and Pulp Company Trespass.

Date	Excerpt
June 1, 1917	Sweet-Hall, Va June 1, 1917 [...] To his excellency, Hon. Henry C. Stewart, Governor of Virginia, Greetings- We the undersigned trustees for the Mattaponi Indians, having been called in council relation to certain trespasses committed on the reservation of the the [sic] said Indians contrary to their laws and customs, have found by investigation, according to their laws and customs that they have a just cause for complaint. We, therefore, as their sworn trustees, being intrusted [sic] in their welfare, do hereby petition your Honor to give the matter your attention at an early date in order that these Indians who are wards of the State may get justice.-

¹⁰⁰“Virginia Violates Treaty of Dutch Gap: Will Not Recognize Pamunkey Hunting Rights Guaranteed at Big Smoke,” *Richmond Times Dispatch* (Richmond, VA) September 16, 1916.

¹⁰¹ [REDACTED] Interview: Chickahominy Fall Festival, edited by Helen Rountree, National Anthropological Archive, Washington, D.C.: Smithsonian Institution. Original edition, Helen Rountree. 1981, PDF Page 1.

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	Respectfully submitted- Everett Edwards, Chairman Signed W.C. Davis W. S. Timberlake ¹⁰²
June 12, 1917	<p>Mattaponi Indian Reservation Sing [sic] William Co. Va June 12th 1917 Hon. governor Stewart.</p> <p>My Dear Sir:</p> <p>I have been a waiting to be favored with a answer to my letter of may 10th and my in personal request on may 23th in Regards to the trespassing on the Reservation. Also the trustees for the Mattaponi tribe was called in council [sic] on June 1th to investigate this matter - and upon investion [sic] it was decided [sic] By the trustees verifying [sic] our above statement- trespass upon their authority as trustees-and for our Protection, they decided to write to you and ask you to protect us indians on the [...] Mattaponi Reservation. I hope you have received a letter from the trustees By this time. As the trespass have been going on ever since I wrote you on May 10th at this time it doing us much Damage in Hauling on our Reservation through all this wet weather Even if to June 11th and for all of this we are hopeless for any pay. And yet have not any protection as yet. If honor just could see our Situation at this time and to know of two inner leads on our Reservation that are depending on the treasure for their support and being cut off by such persons as I have fore said. That will cause these two people to suffer. At this time they have to be fed from Each neighbors home on the Reservation as our treasure is financial exhausted. Whare as we have been vanquished and made to fail in operating our government. As me and my people are in great distress- and do not know what to do as this is the first case we ever had of this kind and do sincerely ask your honor to give me a reply at your Earliest convenient [sic] advising me for what ever you have decided in your mind to do. By so doing, it will be a great relief to me and my people. Thanking you in advance- I am yours truly</p> <div style="background-color: black; width: 400px; height: 15px; margin-left: 20px;"></div> <div style="text-align: right; margin-right: 20px;">03</div>
July 20, 1917	<p>Dear Sirs,-</p> <p>Acknowledgement is made of your communication of July 17th addressed to me as Chief of the Mattaponi Indian Tribe, in which you say that it is your understanding that I, representing my tribe, would allow you to use the landing known as Indian Town Landing, near Wakema, on the Mattaponi River in King William County, Virginia, for the storage of your pulp wood at the rate of 2 ½ cents per cord, and that I would allow you to use the wharf at the said Indian Town landing for the passage of all wood stored on the landing over the same, at the rate of 2 ½ cents per cord. You also say that it is your understanding that for all wood stored on the land of [REDACTED] [REDACTED] part of Indian Town landing, and loaded on your vessels, barges, lighters, &c/. over this wharf, you would pay at the rate of 2½ cents per cord. You then request me, in order that your files may be complete, and in order that my understanding of this matter</p>

¹⁰² Letter from E. Edwards to Governor Stuart, 1 June 1917, Governor Stuart, Henry C., Executive Papers, Accession 28722, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 20, Folder 8, PDF Pages 12-13.

¹⁰³ Letter from [REDACTED] to Governor Stuart, 12 June 1917, Governor Stuart, Henry C., Executive Papers, Accession 28722, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 20, Folder 8, PDF Pages 16-17.

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	<p>may coincide with your understanding, to sign a copy of this letter agreeing to and accepting as true your statement.</p> <p>This is to inform you that neither I nor my tribe have entered into any such agreement with you, as it suggested in your letter, nor any other agreement for the year 1917. As your representatives have been orally informed by me and by members of my tribe, all wood placed upon any portion of the Reservation has been placed thereon by acts of trespass on your part and in violation of our rights and over our protest.</p> <p>Yours very truly,</p> <p>Chief Mattaponi Indian Tribe.</p> <p style="text-align: right;">[REDACTED] ¹⁰⁴</p>
July 21, 1917	<p>His Excellency, Henry C. Stuart, Governor of Virginia, Richmond, Va.</p> <p>My Dear Sir,-</p> <p>Acknowledgement is made of your communication of June 7, 1917, enclosing correspondence in reference to the trespass committed upon the reservation of the Mattaponi Tribe of Indians in King William County.</p> <p>It appears from a statement furnished this office by [REDACTED] [REDACTED] - d.1949] that the Chesapeake Pulp & Paper Company, Inc., with headquarters at West Point, and various agents of this corporation have been guilty of coming upon the reservation over the protest of the chief of the tribe, and using the wharf belonging to the reservation and property adjacent thereto for the purpose of piling cord wood, which is later removed on boats on the Mattaponi River, and transported to the plant of this company. I am informed by these chiefs that they have repeatedly protested against these acts of trespass, and have forbidden the agents of the company to come upon the reservation, or to deposit any wood thereon, which protests have been repeatedly disregarded, and that almost daily acts of trespass are being committed upon the reservation.</p> <p>I am informed by [REDACTED] that the Mattaponi Tribe of Indians are a branch of the Pamunky [sic] Tribe of Indians, and occupy a reservation separate from the tract of land known as the Pamunky [sic] Reservation, on the Pamunky [sic] River, [...]</p> <p>[...] If the Chesapeake Pulp & Paper Company, Inc., and its agents have come upon the reservation without the consent of the tribe, I am of the opinion that a right of action exists in the trustees for the benefit of the tribe against such persons, and that the mode of procedure, if for a single trespass, will be an action of tort for the trespass. If these acts are so frequently repeated, that an action at law would afford no adequate redress, I am of the opinion that the proper procedure would be by a bill in equity to restrain the continuing tort, in which proceeding the damage suffered by the tribe could be ascertained and awarded.</p> <p>Very truly yours,</p> <p>Leslie Garnett</p>

¹⁰⁴ Letter from Chief [REDACTED] to Chesapeake Corporation, 20 July 1917, [REDACTED] Private Collection, PDF Page 7.

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Date	Excerpt
	Assistant Attorney General ¹⁰⁵
May 13, 1918	<p>Mr. W. S. Timberlake, Sweet Hall, Va.</p> <p>Dear Mr. Timberlake:</p> <p>[REDACTED] of the Mattaponi Tribe has complained to the Governor on behalf of his Tribe that the Chesapeake [sic] Pulp & Paper Company, Incorporated, with offices at Westpoint, Virginia, have been committing trespass on the Mattaponi Reservation for several years. It is understood that in 1916 the Company hauled through and shipped from the wharf on the Reservation cordwood under an oral agreement with the Tribe to pay them five cents per cord, but the Company after completing the season's work refused to pay the Tribe for this privilege.</p> <p>In 1917 the Company tried to have the Tribe enter into a contract for the same privilege at two and a half cents per cord, which was refused. In spite of the refusal of the Tribe to enter into an agreement of this sort, the Company went ahead and made use of the Reservation, and, I am informed by [REDACTED] is now committing this tres-pass again this year.</p> <p>Under an opinion from the Attorney General of July 21st, 1917, it was stated that "a right of action exists in the trustees for the benefit of the Tribe against such persons, and that the mode of procedure, if for a single trespass, will be an action of tort for the trespass. If these acts are so frequently repeated that the action at law would afford no adequate redress, I am of the opinion that the proper procedure would be by a bill of equity to restrain the continuing tort, in which proceeding the damage suffered by the Tribe could be ascertained and awarded."</p> <p>The Governor desires that you as trustee for the Tribe, and a copy of this letter is being sent to the other two trustees, will immediately investigate this whole matter and report to him what steps you have taken to protect the interests of the Mattaponi Tribe from the trespass on the part of the Chesapeake [sic] Pulp & Paper Company, Incorporated.</p> <p>Yours very truly, Secretary to the Governor.¹⁰⁶</p>
May 25, 1918	<p>Hon. John R. Saunders, Attorney General of Virginia, Richmond, Va.</p> <p>Dear Mr. Saunders:</p> <p>I am handing you herewith correspondence I have had with the trustees of the Mattaponi Tribe concerning the trespass committed by the Chesapeake [sic] Pulp and Paper Company, Inc., with offices at Westpoint, Va., on the Mattaponi Reservation.</p> <p>The Governor has requested that I request from you your opinion as to whether the State through your office, or the trustees through their own counsel, should proceed to protect the interests of the Reservation.</p>

¹⁰⁵ Letter from Attorney General to the Governor, 21 July 1917, Governor Stuart, Henry C., Executive Papers, Accession 28722, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 20, Folder 8, PDF Pages 20-23.

¹⁰⁶ Letter series from Secretary of the Governor to W. Timberlake, 13 May 1918, Governor Davis, Westmorland. Executive Papers, Accession 21567a, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 23, Folder 11, PDF Page 4-5; 6-7; 12-13.

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	<p>I think the facts in the case can be easily understood by reading my letter to Mr. Evered Edwards of May 15th, and his reply to me, which are enclosed herewith.</p> <p>Very cordially yours, Secretary to the Governor ¹⁰⁷</p>
June 4, 1918	<p>To His Excellency, Hon. Westmoreland Davis, Governor of the State of Virginia, Richmond, Va.</p> <p>My dear Governor:</p> <p>I have before me your letter of May 25, 1918, enclosing certain correspondence that you have had with the trustees of the Mattaponi Tribe of Indians, concerning a trespass committed by the Chesapeake [sic] Pulp & Paper Company, Inc., on the Mattaponi reservation.</p> <p>Your desire to be advised whether or not the state, through this office, or the trustees, through their own counsel, should proceed to protect the interest of the reservation.</p> <p>I have considered this matter very carefully, and in reading the opinion of the Attorney General dated July 21, 1917, referred to in your letter of May 13, 1918 to Mr. Evered Edwards, Sweet Hall, Va., I am of the opinion that the trustees of the Mattaponi Tribe should proceed to protect the said Tribe through counsel of their own choosing.</p> <p>I do not consider that this is a case in which the State of Virginia should prosecute or defend a suit. While the Mattaponi Tribe is given some concessions by the state in the way of exemption from taxes, etc., and living on the state land, yet they exist very largely under their own laws and I feel it proper that the trustees should take such action through such counsel as they are advised necessary to employ to defend the interest of this tribe.</p> <p>Very truly yours, Sgd- Jno. R. Saunders. Attorney General.¹⁰⁸</p>
June 10, 1918	<p>Mr. Everett Edwards, Chairman, Sweet Hall, Virginia.</p> <p>Dear Mr. Edwards:-</p> <p>I enclose copy of opinion of the Attorney General with regard to the alleged trespass on the Mattaponi reseration [sic] by the Chesapeake [sic] Pulp & Paper Company, Inc. The Attorney General is of the opinion that the proper procedure in this case is for the Board of Trustees on behalf of the Tribe to employ counsel to defend the interests of the Tribe. A suit of this sort will, therefore, have to be financed by the Tribe and not by the Commonwealth.</p> <p>Yours very truly,</p>

¹⁰⁷ Letter from Secretary of the Governor to J. Saunders, 25 May 1918, Governor Davis, Westmorland, Executive Papers, Accession 21567a, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 23, Folder 11, PDF Page 16.

¹⁰⁸ Letter from Attorney General to the Governor, 4 June 1918, Governor Davis, Westmorland, Executive Papers, Accession 21567a, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 23, Folder 11, PDF Page 17. Copied in *Annual Report of the Attorney General to the Governor of Virginia for the Year 1918*. Richmond, Virginia: Davis Bottom, Superintendent of Public Printing.

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Date	Excerpt
	Secretary to the Governor. ¹⁰⁹

Annual Tax Tribute

Finally, the Mattaponi tribal government fulfilled its treaty obligations to the Commonwealth. Every year the Mattaponi and Pamunkey tribes present their annual Tribute to the Governor of Virginia in lieu of taxes. This practice dates to the treaties of 1646 and 1677 which established that the tribes were to “then and there pay the accustomed Tribute of Twenty Beaver Skins to the Governour, and also their Quit-Rent aforesaid.”¹¹⁰ Though these treaties were made with the British crown, the tradition continues to affirm the government-to-government relationship between the tribes and the Commonwealth of Virginia. For the Mattaponi, the Tribute consists of a hunt and then delivery of game, accompanied by gifts to the Governor of the Commonwealth in Richmond. The ceremony at which the Tribute is delivered is attended by members of the tribal community and alongside the leaders and community of the Pamunkey Indian Tribe. Wild game is often accompanied by crafts or other items prepared by tribal members.¹¹¹ The table below summarizes documentation of the Mattaponi Tribal Government’s participation in the annual tax tribute ceremony for the period between 1900 and 1919.

Table C1-18. External Relations, 1900-1919: Annual Tax Tribute.

Date	Excerpt
November 16, 1914	<p>[REDACTED]</p> <p>Mattaponi Tribe, R.F.D. Sweet Hall, Va.</p> <p>Dear Sir:</p> <p>In the name of the Governor of Virginia, I thank you for the tribute of game and fish today paid him by your tribe through you. Those evidences of friendship between your tribe and the Commonwealth are very gratifying to the Governor.</p> <p>Yours very truly,</p> <p>Secretary to the Governor.¹¹²</p>
November 19, 1914	<p>Perpetuating a time-honored custom, the Indians of the Mattaponi Tribe, whose reservation is at Sweet Hall, yesterday sent an envoy to the State Capitol to renew formally the pledge of allegiance to the Big White Sachem of the Commonwealth, to assure him of their everlasting high esteem and to offer him gifts.</p> <p>The envoy chosen for this important mission is Chief George F. Custalow [REDACTED]. He arrived at the Capitol bearing a string of chub and rockfish, the finest specimens procurable by the Indians at this season in Virginia waters, and a huge wild turkey, a trophy of the chief’s skill as a hunter.</p>

¹⁰⁹ Letter from the Secretary of the Governor to E. Edwards, 10 June 1918, Governor Davis, Westmorland, Executive Papers, Accession 21567a, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 23, Folder 11, PDF Page 18.

¹¹⁰ Alden T. Vaughan, *Early American Indian Documents: Treaties and Laws, 1607-1789 4* (Maryland: University Publications of America, 1983), 82-87 [PDF 57-59].

¹¹¹ Ben Swenson, "Mattaponi and Pamunkey Tribes Carry on Annual Tradition with Gifts to Governor," *Tidewater Review*, November 23, 2023. <https://www.dailypress.com/2023/11/23/mattaponi-and-pamunkey-tribes-carry-on-annual-tradition-with-gifts-to-governor/>.

¹¹² Letter from Secretary of the Governor to [REDACTED] 6 November 1914, Governor Stuart, Henry C., Executive Papers, Accession 28722, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 20, Folder 8, PDF Page 4.

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	[...] the envoy of the Mattaponis was received with due form and ceremony by Secretary Alexander Forward [...], who welcomed Chief Custalow to the official wigwam, congratulated him upon his excellent health, wished him individually and the Mattaponis collectively much joy, and inquired solicitously after the health and prosperity of the Indians of the Sweet Hall Reservation. [...] ¹¹³
November 19, 1914	<p>Chief George F. Custalow [REDACTED] of the Mattaponi tribe of Indians, paid his annual call on the Paleface Chief at the Capitol yesterday, bringing with him a string of chub and some wild turkeys. The Governor was not in the city and Chief Custalow left the game in the hands of Secretary Forward. Last night Mr. Forward sent the following letter of thanks to the Indian chief.</p> <p>Chief George F. Custalow, Mattaponi Tribe, R. F. D., Sweet Hall, Va.</p> <p>Dear Sir.- In the name of the Governor of Virginia I thank you for the tribute of game and fish today paid him by your tribe through you. These evidences of friendship between your tribe and the Commonwealth are very gratifying to the Governor.</p> <p>Yours truly, Alexander Forward, Secretary to the Governor.¹¹⁴</p>
November 25, 1914	[An article mocking Alexander Forward, Secretary to the Governor, mentioned that] "when he heard that Chief George Custalow [REDACTED] of the Mattaponi Indians, was bringing his annual tribute of a wild turkey and a string of fish to the Governor, he sent the Governor to Elk Garden, donned his frock coat and silk hat, and received the tribute himself. [...] ¹¹⁵
April 19, 1916	<p>[Tribal Meeting Minutes]</p> <p>[...] On motion of [REDACTED] second by [REDACTED] that Tribute be paid to the Governor of Virginia Carried. Decided that Chief [REDACTED] and [REDACTED] will carry the tribute.¹¹⁶ [...]</p>
July 11, 1916	[...] Since the days of Governor Cameron, ¹¹⁷ emissaries of the Mattaponi and Pamunkey tribes, following ancient custom, have appeared each year at the Capitol bearing tribal gifts of fish or game, thus, according to the chiefs, renewing annually the terms of the treaty formulated at the "big smoke." ¹¹⁸

¹¹³ Staff, "Mattaponi Braves Send Game to Big White Chief," *Richmond Times Dispatch* (Richmond, VA), November 19, 1914. See also: Staff, "Chief Custalow Pays His Tribute," *The Richmond Virginian* (Richmond, VA), November 19, 1914. Staff, "A General Forward Movement," *Richmond Evening Journal* (Richmond, VA), November 25, 1914.

¹¹⁴ Staff, "Chief Custalow Pays His Tribute," *The Richmond Virginian* (Richmond, VA), November 19, 1914. See Also: Staff, "Mattaponi Braves Send Game to Big White Chief," *Richmond Times Dispatch* (Richmond, VA), November 19, 1914.

¹¹⁵ Staff, "A General Forward Movement," *Richmond Evening Journal* (Richmond, VA), November 25, 1914.

¹¹⁶ Law Ledger. 19 April 1916. [REDACTED] Private Collection, PDF Page 12.

¹¹⁷ Governor William E. Cameron served as Governor of Virginia from 1882 to 1886 (James Tice Moore, "William E. Cameron (1842-1927)," *Encyclopedia Virginia*, July 24, 2024, <https://encyclopediavirginia.org/entries/cameron-william-e-1842-1927/>).

¹¹⁸ Staff, "Big Smoke of 1916 Made Heap Bad Law-Indian Chief Appeal to Great White Father Against New Game Act." *Richmond Times Dispatch* (Richmond, VA), July 11, 1916.

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December 8, 1917	Chief George Custolo, [REDACTED] of the Mattaponi Indian tribe, called at the capitol yesterday with the animal gift of game from the tribe to the Great White Father. This is as provided in the treaty of more than two hundred years ago Chief Custolo [<i>sic</i> ; Custalow] brought a large wild turkey and a fat ra bit. [<i>sic</i>] They were accepted by the governor with thanks. ¹¹⁹

Conclusion

The tribal government’s mediation of relations with and advocacy for the tribe with state and local authorities during the period from 1900 to 1919 demonstrates its continuous exercise of political authority during the period. In particular, the Tribe’s interventions on behalf of its members demonstrates that the Tribe’s governing body plays a key role in “representing the entity in dealing with outsiders in matters of consequence,” (83.11(c)). Events like the Tribute show that the tribal government is “able to mobilize significant numbers of members and significant resources from its members for entity purposes” (83.11 (c)(1)(i)). With regard to the Selective Service, tribal member’s coordinated claim of non-citizen status in the face of the protest of local board members are indicative of the fact that “membership consider issues acted upon or actions taken by entity leaders [...] to be of importance” (83.11 (c)(1)(ii)) and that “there is widespread knowledge, communication, or involvement in political processes” (83.11 (c)(1)(iii)). Issues surrounding the Chesapeake Pulp and Papers trespass demonstrate the presence of “internal conflicts over valued [...] properties” ((83.11 (c)(1)(v)) as some tribal members sought to profit from the trespass. The coordination with the Pamunkey Indian Tribe in the protection of Indian status in regard to the Selective Service and Hunting and Fishing permits shows a “significant relationship” with a federally recognized Indian Tribe (83.11 (c)(1)(vi)). Issues surrounding Selective Service and the trespass of the Chesapeake Pulp and Paper Company demonstrate the active use of the reservation (83.11 (c)(1)(vi)).

The Tribe’s ability, in its upholding of its tribute obligations and protection of tribal lands, demonstrates its ability to “allocate entity resources such as land, residence rights, and the like” (83.11 (c)(2)(i)(A)). The instances above also show that the Tribe had the means and acted to “Settle disputes between members or subgroups” (83.11 (c)(2)(i)(B)), even when one of the parties to the dispute was non-Indian (for instance, disputes between tribal members and the Selective Service Board, or disputes between the Tribe itself and trespassers). Likewise, the ability to mobilize individuals to participate in events such as the Tribute or to cease relations with the Chesapeake Pulp and Paper Company show the tribal government’s “strong influence” on tribal member behavior ((83.11 (c)(2)(i)(C)). Finally, efforts to safeguard hunting and fishing rights off of the reservation, controlling the rental of tribal lands, and mobilizing tribal members for the tribal hunt demonstrate the tribal government’s ongoing ability to “organize or influence economic subsistence activities” (83.11 (c)(2)(i)(D)).

Evidentiary Applicability

Overall, the evidence presented above demonstrates that the Mattaponi Indian Tribe meets Criterion 83.11 (c)(1) and (c)(2) throughout the period from 1900 to 1919. Moreover, the substantial evidence from meeting minutes and other primary and secondary sources of evidence under Criterion 83.11 (c)(2) is sufficient to meet Criterion 83.11 (b)(2)(v) for the same period.

¹¹⁹ Staff, “Indian Brings Game,” *The Evening Journal* (Jeffersonville, IN), December 8, 1917. See Also: Staff, “Mattaponis Pay Tribute,” *Richmond Times Dispatch* (Richmond, VA), December 8, 1917; Staff, “Mattaponi Tribe Sends Tribute,” *The Richmond Virginian* (Richmond, VA), December 8, 1917.

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2. Criterion (c): 1920 to 1939

Throughout the period of 1920 to 1939, the Mattaponi tribal government continued to exert political authority over the Reservation and tribal members, evidenced in a variety of sources that demonstrate fulfillment of Criterion (c) of 25 CFR 83.11. This includes the demonstration that the Mattaponi tribal government acted as an “autonomous entity” that held “political influence or authority over its members” (83.11(c)(1)). Specifically, the Tribe was regularly able to “mobilize significant numbers of members and significant resources... for entity purposes” (83.11 (c)(1)(i)) through tribal elections and participation in key tribal events such as the annual tribute to the Governor which commemorates and continues the Tribe’s treaty relationship with the Commonwealth. Participation from tribal members in political processes established through tribal laws further demonstrates the existence of “widespread knowledge, communication, or involvement in political processes” (83.11(c)(1)(iii)), and that “many of the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance” (83.11 (c)(1)(ii)). During this period, the Mattaponi governing body joined a coalition of other tribal leaders such as the Pamunkey to protest the Racial Integrity Act which demonstrates the durable relationships between the Mattaponi and other federally recognized Indian Tribes (83.11 (c)(1)(vi)) in matters of which members placed import on.

Continued adherence to tribal laws is also indicative of the Tribal government’s ability to exert “strong influence on the behavior of individual members, such as the establishment or maintenance of norms or the enforcement of sanctions to direct or control behavior” (83.11 (c)(2)(i)(C)) in an effort to “settle disputes,” (83.11 (c)(2)(i)(B)).¹ Additionally, members regularly participated in activities organized by the government, including participating in the Mattaponi Indian Baptist Church, attending the Mattaponi Indian School, and “economic subsistence activities,” (83.11 (c)(2)(i)(D)) through the shad hatchery. The Mattaponi Tribal Council’s role in the establishment of each of these tribal institutions also shows their ability to “allocate entity resources such as land, residence rights, and the like” (83.11 (c)(2)(i)(A)). Such evidence, by meeting the requirements of 25 CFR 83.11 (c)(2), fulfills the crossover provision in 25 CFR 83.11 (b)(2)(v) and thus has “provided more than sufficient evidence to demonstrate distinct community) for the period from 1920 to 1939.

Tribal Leadership

During the period from 1920 to [REDACTED] Indian Reservation was led by a tribal government including a Chief and Council. [REDACTED] was elected Chief in 1914 and held that position throughout this period. [REDACTED]’s son, [REDACTED] appears as a councilman in 1929 and was voted in as Assistant Chief around 1930. [REDACTED] was named as a councilman early in this period. The documentary evidence suggests that elections occurred when a vacancy arose (December 15, 1922). As in earlier periods, nominations to fill the vacancy would have been made and voted on by the town in open meetings.² The Mattaponi Tribal Council participated in political processes by having meetings and settling disputes as evidenced in minutes from August 22, 1935.³

Informally, leadership roles within the church also acted as a meaningful form of authority within the Mattaponi community, and often Council leaders held official roles within the Mattaponi I [REDACTED] t Church. During the period from 1920 to 1939, [REDACTED], Assistant Chief [REDACTED] [REDACTED] and Councilman [REDACTED] served as informal leaders within the organized church congregation and were elected to the Deacon’s Board. During the period prior to the church’s formal

¹ Law Ledger, [REDACTED] Private Collection, PDF Pages 7-10.

² Law Ledger, 24 March 1914, [REDACTED] Private Collection, PDF Page 7; Law Ledger, 15 May 1944, [REDACTED] Private Collection, PDF Page 28.

³ Trustee Meeting Minutes, 22 August 1935, [REDACTED] Collection, Folder 1, PDF Page 1.

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organization, George F. Custalow Jr. served as missionary pastor for three years, and his brother Harvey N. Custalow also served as Reverend of the church.

Table C2-1. Tribal Leaders, 1920-1939.

Date	Title	Tribal Leaders
1918 – 1949	Chief	George Forrest Custalow Sr. [REDACTED]
1922 – 1930	Assistant Chief	Junius Christopher Custalow [REDACTED]
1931 – 1937	Assistant Chief	Otha Thomas Custalow [REDACTED]
1937 – 1941	Assistant Chief	Lucian Baily Allmond [REDACTED] ⁷
1922 – 1929	Councilman	Otha Thomas Custalow [REDACTED] ⁸
1922 – 1973 ca.	Councilman	William Garnett Custalow [REDACTED] ⁹
1922 - Unknown	Councilman	Mantley Henry Langston [REDACTED] ¹⁰
1922 – 1926	Councilman	Arthur Governor Allmond [REDACTED] ¹¹
1922 – Unknown	Councilman	James William Allmond [REDACTED] ¹²
1927 – 1959	Councilman	Solomon Dewey Custalow Jr. [REDACTED] ¹³
1926 – 1937	Councilman	Lucian Baily Allmond [REDACTED] ¹⁴
1937 – 1939	Councilman	Elmer Stuart Allmond [REDACTED] ¹⁵

⁴ Staff, "The Indian Celebration in Caroline," *The Daily Star* (Fredericksburg, VA), September 12, 1921; Staff, "Powhatan Confederacy Meets Again After Lapse Of 300 Yrs," *The News Leader* (Richmond, VA), March 27, 1923; Staff, "Indians Protest Negroid Stigma," *Richmond News Leader* (Richmond, VA), July 13, 1925; Staff, "American Indian Day Is Observed," *Newport News Daily Press* (Newport News, VA), October 13, 1927; Staff, "Mattaponi Indians to Stage Entertainment," *The Tidewater Review* (West Point, VA), August 29, 1929; Staff, "Famous Red Families United by Marriage," *Tunkhannock New Age* (Tunkhannock, PA), October 16, 1930; Staff, "Pocahontas Becomes Bride," *Evening Star* (Washington D.C.), March 11, 1931; Staff, "Mattaponi Indians in Market Celebration at Richmond," *The Tidewater Review* (West Point, VA), December 22, 1932; Staff, "Church Dedicated for Indian Tribes," *Richmond News Leader* (Richmond, VA), May 27, 1935; Staff, "Chief Explains By 'Mike' as His Braves Dance," *The Morning News* (Wilmington, DE), November 27, 1936; Staff, "Many Changes in Reservation Made by Mattaponi Chief," *Richmond Times Dispatch* (Richmond, VA), January 3, 1938; Aumack, Billy, "The Notebook Reveals," *The Tidewater Review* (West Point, VA), August 17, 1939.

⁵ Letter from Mattaponi Tribal Council Denouncing Dr. Plecker Claims, 24 April 1925, [REDACTED] Collection, Section 1; Law Ledger, 15 December 1922, [REDACTED] Private Collection, PDF Page 18.

⁶ Staff, "Letter from Asst. Chief Custalow," *The Tidewater Review* (West Point, VA), February 13, 1930; Staff, "Pocahontas Becomes Bride," *Evening Star* (Washington D.C.), March 11, 1931; Staff, "Mattaponi Indian Chief Conducts Lighting of Campfire for Scouts," *The Tidewater Review* (West Point, VA), August 18, 1932; Staff, "Home Coming Day Held on Mattaponi," *The Tidewater Review* (West Point, VA), August 29, 1935; Staff, "Indian Compares Co-ordinator's Actions Now," *Richmond Times Dispatch* (Richmond, VA), May 24, 1939. Newspapers wrongly identified [REDACTED] as Chief during this time period even though he was serving as Assistant Chief at the time. For example, see: Staff, "Indian Wedding Draws Throng," *The Evening Star* (Washington, D.C.), June 13, 1931; Staff, "Chief Signs Up," *The Philadelphia Inquirer* (Philadelphia, PA), August 13, 1938; Staff, "Mattaponi Chief Asserts Officers Violate Tribe's Rights," *Richmond Times Dispatch* (Richmond, VA), October 5, 1938; Aumack, Billy, "The Notebook Reveals," *The Tidewater Review* (West Point, VA), March 23, 1939.

⁷ [REDACTED] "Ledger Book, 1934-1946," [REDACTED] Collection, Brief Case Section 3, PDF Pages 8 and 12.

⁸ Letter from Mattaponi Tribal Council Denouncing Dr. Plecker Claims, 24 April 1925, [REDACTED] Collection, Section 1; Staff, "Scions of Famous Indians Wed," *The News Chronicle* (Shippensburg, PA), August 9, 1929.

⁹ Letter from Mattaponi Tribal Council Denouncing Dr. Plecker Claims, 24 April 1925, [REDACTED] Collection, Section 1; [REDACTED], "Ledger Book, 1934-1946," [REDACTED] Collection, Briefcase Section 3, PDF Pages 5 and 8.

¹⁰ Letter from Mattaponi Tribal Council Denouncing Dr. Plecker Claims, 24 April 1925, [REDACTED] Collection, Section 1.

¹¹ Letter from Mattaponi Tribal Council Denouncing Dr. Plecker Claims, 24 April 1925, [REDACTED] Collection, Section 1.

¹² Law Ledger, 15 December 1922, [REDACTED] Private Collection, PDF Page 18.

¹³ Staff, "Indian Wedding Party," *Detroit Free Press* (Detroit, MI), March 29, 1931; Deed: Mattaponi Indian Reservation and Commonwealth – Agreement, 1959, King William County Deed Book 81, King William County Court House, King William, Virginia.

¹⁴ [REDACTED] "Ledger Book, 1934-1946," [REDACTED] Collection, Brief Case Section 3, PDF Pages 8 and 12.

¹⁵ [REDACTED] "Ledger Book, 1934-1946," [REDACTED] Collection, Section 3, PDF Pages 8 and 12.

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Date	Title	Tribal Leaders
1926 – 1929	Missionary Pastor	George Forrest Custalow, Jr. [REDACTED] ¹⁶
1934 – 1939	Reverend	Harvey Nathaniel Custalow [REDACTED] ¹⁷

Conclusion

This evidence shows the existence of a “continuous line of entity leaders” (83.11 (c)(1)(viii)) who played key roles in the exercise of political authority from 1920 to 1939. Moreover, the existence of political processes to determine leadership demonstrate the important members place on “issues acted upon or actions taken by entity leaders” (83.11 (c)(1)(ii)) and that there is “widespread knowledge, communication, or involvement in political processes by many of the entity's members” (83.11 (c)(1)(iii)).

Resource Use and Allocation

Between 1920 and 1939, the Mattaponi Tribal Council played a key role in the allocation of reservation land and resources. This is evident in the allocation of land for cultivation, the organization and disbursement of resources such as labor. Finally, the tribal government established a fish hatchery on the reservation to preserve resources and protect the hunting and fishing rights of Mattaponi tribal members.

Reservation Allotments

During the period between 1920 to 1939, the Mattaponi Tribal Council continued to oversee the allocation of land on the reservation in accordance with tribal laws, and exercised authority through the settlement of land disputes. Tribal citizen, [REDACTED] described the process of allotment for his father and the rights of inheritance that were observed during this period:

The lot that I'm living on now was allotted to my dad back when he got married in 1929. So, that's where he made the home for my mom and all of us children. And now I'm back where I was born. [...] well, it started out, I guess, the lots was pretty big because it was just a few. But as it went on, and someone called for a lot, they would take the biggest lot, whoever it belonged to, the largest lot, and cut it in half and give that person half. And the next one to call for would take the next biggest lot and cut it in half. That's the way they did back then. Until it got so many, you just couldn't downsize them anymore. [...] we could marry someone out by being a resident here or a tribal member. And if the land was open, we could get allotted to us and build a house, and, and she's, you know, she's a white person and then if I was to die, she'd have lifetime rights. But if she got married again, and if she married anybody that wasn't affiliated with the reservation, then whoever she married would have to take her off and live somewhere else.”¹⁸

In addition to marital status, laws were also passed on July 5, 1926, for the requirement of occupying allotments which stated:

One year is allowed to any member who owns a house & lot on Reservation to sell or return to reservation after being absent from same for 2 years. If not complied with property goes

¹⁶ [REDACTED] “History of the Mattaponi Indian Baptist Church,” Ca. 1932, [REDACTED] Private Collection.

¹⁷ Staff, “Church Dedicated for Indian Tribes,” *Richmond News Leader* (Richmond, VA), May 27, 1935; Staff, “Chief Explains By 'Mike' as His Braves Dance,” *The Morning News* (Wilmington, DE), November 27, 1936; Aumack, Billy, “The Notebook Reveals,” *The Tidewater Review* (West Point, VA), August 17, 1939.

¹⁸ [REDACTED], “Interview: [REDACTED] by [REDACTED] and [REDACTED], Mattaponi Indian Tribe, June 9, 2023, PDF Pages 5-6, & 13-14.

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back to Mattaponi Indian Reservation to be disposed of for the benefit of Town Treasure Carried.¹⁹

The Mattaponi Tribal Council continued to allot land throughout this period, including cases of inheritance (May 2, 1921), granting permission to non-Mattaponi spouses to live on the reservation (July 5, 1926), and reassignment (June 4, 1929).

Table C2-2. Resource Use and Allocation, 1920-1939: Reservation Allotments.

Date	Excerpt
May 2, 1921	Meeting called by [REDACTED] to sign him the lot known as his mothers lot- Motion [REDACTED] Sec. [REDACTED] It was done- ²⁰
July 5, 1926	Permission given to [REDACTED] to live in house known as [REDACTED] house and is subject to Towne orders & laws. Carried. ²¹
June 4, 1929	[...] 1. That a lot leased by [REDACTED] is exempt from further rent by said laws. Carried. June 4- 1929 On motion of [REDACTED] and second by [REDACTED] where as the above mentioned lot is to be reconveyed to [REDACTED] Carried Moved by [REDACTED] and Second by [REDACTED] that Miss [REDACTED] daughter of [REDACTED] of Rappahannock Indian Tribe be allowed to occupy the said lot with [REDACTED] as his wife. Carried. ²²

Regulation of Allotted Lands

In addition to allocation laws, meeting minutes from this period also document the Tribal Government’s regulation of allotted land through the redistribution of vacant lots, the rental of land for cultivation, and the settlement of land disputes. During this period, the regulation of allotted lands included mediation of cases of the unlawful plowing of reservation land (May 13, 1920). The removal of allotment rights for absenteeism (July 8, 1929). Additionally, the Mattaponi Tribal Council regulated the rental of allotments for cultivation purposes (May 25, 1926; January 16, 1928). The regulation of these allotments was an important aspect of tribal livelihoods for the tenant farmer who gained access to land for cultivation and to the allotment holder who gained access to rental income. Additionally, the tribal government provided approval for residency of non-Mattaponi spouses on reservation allotments (June 4, 1929). Finally, the Tribe fined residents for violation of the use of the reservation resources that were viewed as held in common (October 29, 1930).

¹⁹ Law Ledger, 5 July 1926, [REDACTED] Private Collection, PDF Page 19.
²⁰ Law Ledger, 2 May 1921, [REDACTED] Private Collection, PDF Page 18.
²¹ Law Ledger, 5 July 1926, [REDACTED] Private Collection, PDF Page 19.
²² Law Ledger, 4 June 1929, [REDACTED] Private Collection, PDF Pages 22-23.

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Table C2-3. Resource Use and Allocation, 1920-1939: Regulation of Allotted Lands.

Date	Excerpt
May 13, 1920	The case of [redacted] unlawful plowing of Reservation lands- found guilty. Will be allowed to cultivate [redacted] lot for 8.50 payable to the Mattaponi Ind. Res. Treasurer. Carried. ²³
May 2, 1921	[redacted] given 6 months to repair building and occupy his lot. Carried. Signed [redacted] Chief ²⁴
May 25, 1926	[...] The lot known as [redacted] lot be divided into two lots Carried. Surplus land shall be rented for cash to highest bidder. the first half of the lot known as [redacted] be rented to [redacted] For the sum of \$12.75. The other half to [redacted] [redacted] d. 1970] for \$10.00 and [redacted] [redacted] d. 1985] was rented to [redacted] for 8.00 and the garden on same was rented to [redacted] for \$4.25 ²⁵
January 16, 1928	Front half of lot known as [redacted] Lot rented to [redacted] 7-25-28 the other half next to [redacted] to [redacted] for 6.25 The lot known as [redacted] To [redacted] or 3.00 Lot known as [redacted] rented to [redacted] for 11.25 ²⁶
June 4, 1929	[...] 1. That a lot leased by [redacted] [redacted] is exempt from further rent by said laws. Carried. Moved by [redacted] and Second by [redacted] that Miss [redacted] daughter of Chief [redacted] of Rappahannock Indian Tribe be allowed to occupy the said lot with [redacted] as his wife. Carried. ²⁷
July 8, 1929	[...] Lot known as [redacted] has gone back to Reservation from absenteeism. Carried Lot signed back to [redacted] which he once held under pledge he will stay and occupy after building home ²⁸ [...]
October 29, 1930	[redacted] be allowed to straighten line between [redacted] lot and his [redacted] [redacted] pay fine for illegal wood cutting [redacted] will do same. ²⁹

²³ Law Ledger, 13 May 1920, [redacted] Private Collection, PDF Page 17.
²⁴ Law Ledger, 2 May 1921, [redacted] Private Collection, PDF Page 18.
²⁵ Law Ledger, 25 May 1926, [redacted] Private Collection, PDF Page 19.
²⁶ Law Ledger, 16 January 1928, [redacted] Private Collection, PDF Page 22.
²⁷ Law Ledger, 4 June 1929, [redacted] Private Collection, PDF Pages 22-23.
²⁸ Law Ledger, 8 July 1929, [redacted] Private Collection, PDF Page 23.
²⁹ Law Ledger, 29 October 1930, [redacted] Private Collection, PDF Page 25.

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One significant conflict arose during this period when the tribal government sought to reallocate allotment land to make room for the construction of the Mattaponi Indian Baptist Church:

The Mattaponi Indian Baptist Church was built in 1932 in somebody's butterbean patch, amid controversy. The patch belonged to [REDACTED] whose outdoor kitchen also stood between the modern sites of the Allmond house and the church. The tribal council deliberated on the matter, in [REDACTED] store. The reservation kids, including [REDACTED] came to listen, of course—[...] The deliberations were loud and argumentative—they might have been heard all over the reservation, [REDACTED] said. The problem was that someone's plot had to be reduced in order to make room for the church with cemetery area behind it (the cemetery across the road, near the old [REDACTED] (now [REDACTED] house has always been a cemetery). Eventually an agreement was reached: [REDACTED] was paid for the year's crop of butterbeans lost, the land was taken away, and the church was built on it.³⁰

This example demonstrates the tribal government mediating internal conflicts for the collective good of the Tribe, and their efforts to establish community institutions.

Conclusion

The Mattaponi Tribal Council's ability to exert influence over resources and land allocation during this period shows their ability to "mobilize significant numbers of members and significant resources from its members for entity purposes," (83.11 (c)(1)(i)). Specific examples, such as the redistribution of land for the building of the church, demonstrate the existence of "internal conflicts that show controversy over valued entity goals, properties, policies, processes, or decisions" (83.11 (c)(1)(v)) and the continued use of "land set aside by a State for the petitioner" (83.11 (c)(1)(vii)).

Tribal meeting minutes and archival materials presented above document the Mattaponi governing body's ability to "allocate entity resources such as land, residence rights, and the like" (83.11 (c)(2)(i)(A)) through allotments, "settle disputes" (83.11 (c)(2)(i)(B)) and exert a "strong influence on the behavior of individual members" [...] (83.11 (c)(2)(i)(C)) through the enforcement of tribal laws regarding allotment and land use, and organize "economic subsistence activities," (83.11 (c)(2)(i)(D)) through its support of hatchery.

Public Works and Social Services

During the period of 1920 to 1939, the Mattaponi Tribal Council played a significant role in organizing community institutions and public services for tribal citizens on the Mattaponi Indian Reservation. The tribal government oversaw the maintenance of the Mattaponi Indian School, consolidated resources for the construction of the Mattaponi Indian Baptist Church and continued to implement labor requirements for the maintenance of reservation roads.

Mattaponi Indian School

Provisions for the continued maintenance of the Mattaponi Indian School were overseen by the Tribal Council during this period included the procurement of wood for heat (September 9, 1929), regular maintenance of the school grounds (July 8, 1929), and elections of school superintendents (September 10, 1931). Tribal meeting minutes suggest that the Tribe needed to raise funds for the building of the school.

³⁰ "Information gleaned from [REDACTED] 4 April 1986, Helen C. Rountree Fieldnotes, April 1986-December 1986, Helen C. Rountree Papers, National Anthropological Archives, Smithsonian Institution. National Anthropological Archives, Washington, D.C., Box 3, Folder "Fieldnotes April 1986-December 1986," PDF Page 9.

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As a result, the Mattaponi Tribal Council increased reservation taxes, and pursued fundraising strategies to cover the costs of the school (September 20, 1927; June 4, 1929).

Table C2-4. Public Works and Social Services, 1920-1939: Mattaponi Indian School, Tribal Meeting Minutes.

Date	Excerpt
September 8, 1924	[...] Sept. 8 Mattaponi Indian Tribe will build wood house for the school begin 9/13/24 [...] ³¹
August 2, 1926	[REDACTED] given till Sept. 7- August to pay nis land rent taxes. Carried Funds to be used for roads for the Reservation. 50 cent tax added for school 1.00 for Capitation taxes [...] ³²
September 20, 1927	[...] In debt now for school House shall be paid up to date by each member of the Reservation the sum of \$8.70 each Carried ³³ [...]
June 4, 1929	June 4 th 1929 To close school building for repairs, to raise money to repair school on Reservation. Refreshments shall be sold to earn money to repair our school. Move by [REDACTED] Chief Sec. B [REDACTED] Carried Moved [REDACTED] Second [REDACTED] that members of Council donate the necessary funds to supply refreshments for the closing. (Commencement) Carried Written notice will be sent to all asking rent. Tax payers fine if not paid. The same applies to rental of properties Carried. ³⁴
July 8, 1929	[...] Further work will be done on school house ³⁵ [...]
September 9, 1929	[...] [REDACTED] will be paid 15.00 to supply the school with wood for this session. Carried. Meeting adjourned. ³⁶
September 10, 1931	Sept 10- 1931 Prepare school for session & Elect Superintendent [REDACTED] reelected [REDACTED] nd [REDACTED] repair porch of school.

³¹ Law Ledger, 8 September 1924, [REDACTED] Private Collection, PDF Page 19.

³² Law Ledger, 2 August 1926, [REDACTED] Private Collection, PDF Page 20.

³³ Law Ledger, 20 September 1927, [REDACTED] Private Collection, PDF Page 21.

³⁴ Law Ledger, 4 June 1929, [REDACTED] Private Collection, PDF Pages 22 & 23.

³⁵ Law Ledger, 8 July 1929, [REDACTED] Private Collection, PDF Page 23.

³⁶ Law Ledger, 8 July 1929, [REDACTED] Private Collection, PDF Pages 22 & 23.

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Date	Excerpt
	Wood will be provided for 15.00 to the school house by [REDACTED] ³⁷
December 15, 1937	[REDACTED] was elected superintendent for the school session as long as he discharges his duty. Carried. Also to collect capitation taxes. [...] [REDACTED] asked a permit for his children to be treated by the nurse at the school on reservation. ³⁸

Documentary evidence suggests the continued work on the school included support from federal agencies such as the Civil Works Administration program. A 1934 newspaper article states:

The Civil Works Administration of King William County reached its peak last week when a total of approximately 350 men were paid about \$3,500.00 for work done on the different projects throughout the county and West Point. [...] At both Indian Reservations work has been going on under the direction of the Civil Works Administration [*sic*]. On the Mattaponi Reservation a new school is being built [...] ³⁹

Tribal Government authorities would have been involved in negotiating access to the site and overseeing the work as it progressed, demonstrating their efforts to maintain social institutions on the reservation.

Mattaponi Indian Baptist Church

A significant achievement during this time was the construction of the Mattaponi Indian Baptist Church, and formal organization of the congregation as a member of the Dover Baptist Association. Tribal leaders were elected as a committee to represent the Tribe at the Annual Dover Baptist Association Meeting (March 1932). On February 24, 1934, a meeting was held to decide on a plan for building the church. Tribal leaders allocated land for construction and secured building materials. Such efforts are indicative of the tribal government’s activities in utilizing tribal resources including tribal labor to support community institutions on the reservation. Dedication services in May of 1935 were heavily attended by members of the state government and the Pamunkey, Chickahominy, and Rappahannock Indian Tribes.

Table C2-5. Public Works and Social Services, 1920-1939: Mattaponi Indian Baptist Church.

Date	Excerpt
March 1932	[...] On the second Sunday in January, 1932 the Rev. A. Nicholas Reynolds was invited to preach. [...] At the close of the service on the fourth Sunday in March of that year a committee was elected by the congregation to attend the Dover Association which met on April 12, [18?] to ask to be organized as a church and for membership in the association. The following were elected as the committee to represent the congregation at the association: [REDACTED] [REDACTED]

³⁷ Law Ledger, 10 September 1931 [REDACTED] Private Collection, PDF Page 25.

³⁸ Law Ledger, 15 December 1937, [REDACTED] Private Collection, PDF Page 27.

³⁹ Staff, “C. W. A. In County Making Big Improvements,” *The Tidewater Review* (West Point, VA), January 25, 1934.

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Date	Excerpt
February 24, 1934	<p>[...] A business meeting was held on February 24, 1934 to consider plans for the building of a church. A church plan was presented to the church at that time and was accepted.</p> <p style="text-align: right;">40 [...]</p> <p>A committee was elected to see Mr. R. F. Trimmer concerning moving his mill on the reservation to saw the logs for the building. This committee consisted of the following:</p> <div style="background-color: black; width: 500px; height: 100px; margin: 10px 0;"></div> <p>The efforts of this committee met with success.⁴¹ [...]</p>
May 7, 1935	<p>Dedication services for the newly erected Mattaponi Indian Baptist church on the reservation at Cohoke, were held yesterday morning and afternoon with representatives from the Pamunkey, Chickahominy and Rappahannock Indian tribes present. [...] Lieutenant-Governor James H. Price, and Dr. H. Eckenrode, historian of the state conservation and development commission, spoke during the afternoon. ⁴²</p>

Mattaponi Hatchery

During this period, the Mattaponi tribal government worked to preserve valued tribal resources tied to community livelihoods by working to establish a shad and herring hatchery. The Tribe coordinated with the Commission of Fisheries to plan and implement the hatchery (November 11, 1938; November 17, 1938). Plans included the establishment of hatcheries on Pamunkey and Mattaponi Reservations to be run by tribal members. In March of 1939, [...] entered into agreement on behalf of the Tribe with the Commission of Fisheries for the rental of land and a building on the reservation to house the hatchery and to ensure access for its operation and maintenance (April 4, 1939).

Table C2-6. Resource Use and Allocation, 1920-1939: Mattaponi Hatchery.

Date	Excerpt
November 11, 1938	<p>A State fish hatchery operated largely by the Mattaponi and Pamunkey Indians of King William County will be put into operation by the Commission of Fisheries next spring in an effort to replenish Virginia rivers with shad and herring. Commissioner G. Walter Mapp announced yesterday.</p> <p>[...]</p>

⁴⁰ [...] "History of the Mattaponi Indian Baptist Church," Ca. 1932, [...] Collection.
⁴¹ [...] "History of the Mattaponi Indian Baptist Church," Ca. 1932, [...] Collection.
⁴² Staff, "Church Dedicated for Indian Tribes," *Richmond News Leader* (Richmond, VA), May 27, 1935.

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Date	Excerpt
	Plans for the <i>enterprise</i> were made by Mapp on a recent trip to King William County, in which he conferred with Chief Custalow [REDACTED] of the Mattaponi tribe and Chief Bradby of the Pamunkey tribe. ⁴³
November 17, 1938	<p>Hatching out shad and herring in “incubators” under the watchful eye of fish experts will constitute one of the newest and most novel industries in this section, with the establishment of a fish hatchery in King William County within a short time.</p> <p>The hatchery is scheduled to begin operation here with the beginning of the spring run of shad and herring, according to an announcement made late last week by G. Walter Mapp, head of the Virginia Commission of Fisheries, after a trip to King William County.</p> <p>[REDACTED] Mr. Mapp conferred with Chief Custalow [REDACTED] of the Mattaponi Indian tribe, and Chief Bradby, of the Pamunkey tribe. After this conference it was decided that the operation of the project would be in close co-operation with the members of these two groups. The members of the two tribes will be given a bounty for each ‘ripe’ shad and herring delivered to the hatchery. [...] ⁴⁴</p>
March 23, 1939	Mattaponi Indian Reservation - O. T. Custalow [REDACTED] has charge of the building of the new fish hatchery at the Reservation. The hatchery is being built y [<i>sic</i>] the State and will be enlarged in the future if satisfactory results are obtained. ⁴⁵
April 4, 1939	<p>THIS DEED, made this the day of March, 1939, between [REDACTED] Chief of Mattaponi Tribal Indians of Mattaponi Reservation King William County, Virginia, party of the first part, and the Commission of Fisheries of Virginia, party of the second part.</p> <p>WITNESSETH: That the said party of the first part doth demise unto the said party of the second part [...] the Northwestern half of a certain house, including half of the counter in said house, now standing on the Northwestern shore of the Mattaponi River, in King William County, Virginia, at or near the landing used by the Tribe of Mattaponi Indians on the Mattaponi River, together with a sufficient amount of land adjacent to said house and landing necessary for the operation of a fish hatchery by the said Commission of Fisheries of Virginia [...] for said period the rent of Twenty-Five Dollars (\$25.00).</p> <p>The aforesaid lessor covenants that the Commission of Fisheries and/or the State of Virginia shall have the right to repair the aforesaid building [...] and fix the aforesaid road, to landscape the same, as well as said fish hatchery. ⁴⁶ [...]</p>

Road Maintenance

During this period, the tribal government was responsible for maintaining public infrastructure on the Mattaponi Indian Reservation. Tribal law mandated that all male members above the age of eighteen be required to work on the reservation roads or pay a two-dollar fine. Exceptions were made in instances of illness (September 20, 1927). The tribal government compensated tribal members for working on the roads

⁴³ Staff, “Fish Hatchery To Be Manned With Indians,” *Richmond Times Dispatch* (Richmond, VA), November 11, 1938.

⁴⁴ Staff, “Fish Hatchery Is Planned,” *The Chickahominy Sun* (Providence Forge, VA), November 17, 1938. See also: Staff, “Fish Hatchery To Be Manned With Indians,” *Richmond Times Dispatch* (Richmond, VA), November 11, 1938; Staff, “Indians to Man Fish Hatchery,” *The Gloucester Mathews Gazette Journal* (Gloucester, VA), November 17, 1938; Staff, “Shad, Herring Hatchery Will Be Established in King William County,” *The Tidewater Review* (West Point, VA), November 17, 1938.

⁴⁵ Aumack, Billy, “The Notebook Reveals,” *The Tidewater Review* (West Point, VA), March 23, 1939.

⁴⁶ Deed for the Mattaponi Fish Hatchery, 4 April 1939, [REDACTED] Collection, Section 2, PDF Page 3.

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at a rate of \$1.50 a day, and a few dollars more if they provided a horse and wagon (August 2, 1926). The Mattaponi Tribal Council also maintained the Tribe's cemetery during this time (July 25, 1930).

Table C2-7. Public Works and Social Services, 1920-1939: Road Maintenance.

Date	
September 3, 1923	[REDACTED] will begin work on roads 3 rd day Sept. 1923 Carried ⁴⁷
September 8, 1924	Male (mail) members above 18 will work on Roads or pay fine of 2.00. Carried ⁴⁸
August 2, 1926	[REDACTED] given till Sept. 7- August to pay his land rent taxes. Carried Funds to be used for roads for the Reservation. 50 cent tax added for school 1.00 for Capitation taxes Pay 1.50 a day for men to work the roads of the Reservation. Carried. 1 horse and wagon will be \$1.50 per day 2 horses, wagon will be 2.50 per day Working on Road. Carried ⁴⁹
September 20, 1927	[REDACTED] excused from road work Sept. 19- 1927 ailing health. Carried. [REDACTED] fined 2.00 for not working on Road on 20 Sept 1927 [...] [REDACTED] be exempted from working on Road. Carried ⁵⁰
June 4, 1929	[...] [REDACTED] and [REDACTED] have promised to fill in ditches. ⁵¹
July 25, 1930	[...] Cemetery cleaning and road work shall be paid out of Town Treasure Carried ⁵²

Conclusion

Participation in the establishment and maintenance of the church and school as well as tribal members' work on the roads provide clear evidence of the tribal government's ability to "mobilize significant numbers of members" for group purposes (83.11 (c)(1)(i)), and that "many of the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance" (83.11 (c)(1)(ii)). The coordination of hatchery work with the Pamunkey Indian Tribe demonstrates the "significant relationship" of the Mattaponi tribal government with other federally recognized Indian tribes (83.11(c)(1)(vi)). The

⁴⁷ Law Ledger, 3 September 1923, [REDACTED] Private Collection, PDF Pages 18-19.
⁴⁸ Law Ledger, 8 September 1924, [REDACTED] Private Collection, PDF Page 19.
⁴⁹ Law Ledger, 2 August 1926, [REDACTED] Private Collection, PDF Page 20.
⁵⁰ Law Ledger, 20 September 1927, [REDACTED] Private Collection, PDF Page 21.
⁵¹ Law Ledger, 4 June 1929, [REDACTED] Private Collection, PDF Pages 22 & 23.
⁵² Law Ledger, 25 July 1930, [REDACTED] Private Collection, PDF Page 24.

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maintenance of institutions and public works on the reservation also shows the active use of “land set aside by a State for the petitioner” (83.11 (c)(1)(vii)).

The tribal government’s ability to “allocate entity resources such as land, residence rights, and the like” (83.11 (c)(2)(i)(A)) is exemplified by the use of tribal resources for the construction of the church and labor on the roads. Allocating land for the establishment of institutions shows the Mattaponi Tribal Council’s authority to “settle disputes,” (83.11 (c)(2)(i)(B)). Likewise, fines applied for the refusal to participate in road works shows “strong influence on the behavior of individual members, such as the establishment or maintenance of norms or the enforcement of sanctions to direct or control behavior” (83.11 (c)(2)(i)(C)). Tribal members were also paid for providing wood for the school and for participation in road work activities, which is indicative of the Tribe’s organization or influence of “economic subsistence activities,” (83.11 (c)(2)(i)(D)).

Maintaining Social Order

During the period of 1920-1939, the Mattaponi Tribal Council exerted authority through the maintenance and enforcement of tribal laws. As Chief George F. Custalow, speaking in 1938, described the Tribal Government’s authority:

[...] all violations on said Reservation are subject to tribal government, and the Chief has some authority to expell [*sic*] from the Reservation any rude and rebellious citizens.⁵³

This assertion, that tribal laws on the Mattaponi Indian Reservation existed separate from the laws of the Commonwealth, was regularly recognized in newspaper accounts during this period.⁵⁴

Tribal Laws and Regulations

Maintenance of tribal law during this period included the restating and refinement of allotment rules regarding residency (July 5, 1926), the establishment of fines for drunken and disorderly conduct (July 5, 1926), and the role of Trustees in intervening in tribal disputes (July 25, 1930). The Tribe also enacted requirements for inter-tribal marriages, establishing rights of inheritance only through certification of the Indian identity of the spouse (October 29, 1930).

Table C2-8. *Maintaining Social Order, 1920-1939: Tribal Laws.*

Date	Excerpt
July 5, 1926	Motion [REDACTED] Second [REDACTED] One year is allowed to any member who owns a house & lot on Reservation to sell or return to reservation after being absent from same for 2 years. If not complied with property goes back to Mattaponi Indian Reservation to be disposed of for the benefit of Town Treasure Carried. 1. 2.50 fine under the influence of drink

⁵³ Custalow, C. G. F., “Brief ‘History’ of Mattaponi Reservation,” *The Tidewater Review* (West Point, VA), January 13, 1938. See Also: Staff, “Virginia Indian Chief Completes 24th Year,” *Greene County Record* (Standardsville, VA), January 6, 1938; Staff, “Many Changes in Reservation Made by Mattaponi Chief,” *Richmond Times Dispatch* (Richmond, VA), January 3, 1938.

⁵⁴ References to the Commonwealth of Virginia acknowledging Tribal Laws appear in the following materials: Staff, “Indians Protest Negroid Stigma,” *Richmond News Leader* (Richmond, VA), July 13, 1925; Nettles, J. E., “Indian Encampment Forms Interesting Feature at Yorktown Sesquicentennial,” *Newport News Daily Press* (Newport News, VA), October 18, 1931; Staff, “Mattaponi Indians to Be Here Next Week,” *The Gloucester Gazette* (Gloucester, VA), April 29, 1937; Staff, “Did you Know That,” *Richmond Times Dispatch* (Richmond, VA), November 7, 1937; Custalow, C. G. F., “Brief ‘History’ of Mattaponi Reservation,” *The Tidewater Review* (West Point, VA), January 13, 1938.

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Date	Excerpt
	2. 5.00 and being disorderly 3. 10.00 4. 20.00 ⁵⁵
July 25, 1930	[...] Matter taken to Reservation first in Old Customs or laws or by laws then to Trustees and then as a last measure to court by jurors on Reservation. Prohibition [sic] laws enforced and will be enforced as Mattaponi Indian Reservation failure to comply will be turned over to the Commonwealth [...] ⁵⁶
October 29, 1930	[...] Motion [redacted] and second by [redacted] that all persons marry from other tribes are requested to produce an Indian Certificate qualifying them them [sic] under the Indian Code of Virginia before they can be accepted by the Tribe to become a member, to inherit full rights. Carried. ⁵⁷

Enforcement of Tribal Laws

The tribal government regularly enforced reservation laws, sanctioning individual tribal members for a variety of transgressions throughout this period. In some cases, this involved convening a jury for a formal trial (October 25, 1922). At other times, infractions were such that the Council simply imposed fines for failure to attend a town meeting or work on the road (September 20, 1927) and for disorderly conduct (September 16, 1930). Finally, the Mattaponi Tribal Council brought in the Trustees to witness proceedings regarding particularly egregious cases characterized by a continual failure to abide by tribal law (August 22, 1935). This included the failure to pay tribal taxes, which is discussed further in the section on political participation, below.

Table C2-9. Maintaining Social Order, 1920-1939: Enforcement of Tribal Laws.

Date	Excerpt
October 25, 1922	[redacted] was tried and found guilty of striking [sic] Zach White an employee and using abusive language and was duly fined \$1.50 Jurors [redacted] [redacted] Above jurors in said case. ⁵⁸
September 20, 1927	[...] Fined 1.00 each for not attending call meeting- [redacted] Carried. [...] Sedno Custalow [redacted] fined 2.00 for not working on Road on 20 Sept 1927. ⁵⁹

⁵⁵ Law Ledger, 5 July 1926, [redacted] Private Collection, PDF Page 19.

⁵⁶ Law Ledger, 25 July 1930, [redacted] Private Collection, PDF Page 24.

⁵⁷ Law Ledger, 29 October 1930, [redacted] Private Collection, PDF Page 25.

⁵⁸ Law Ledger, 25 October 1922, [redacted] Private Collection, PDF Page 18.

⁵⁹ Law Ledger, 20 September 1927, [redacted] Private Collection, PDF Page 21.

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Date	Excerpt
September 16, 1930	<p>Drunk & disorderly charges against [REDACTED]</p> <p>[REDACTED] by [REDACTED]</p> <p>[REDACTED] found guilty and fined \$2.50 Carried</p> <p>Given 2 weeks to pay this fine</p> <p>[REDACTED] fined 5.00 2nd off</p> <p>[REDACTED] fined 2.50 1st off</p> <p>Drunk & Disorderly Carried⁶⁰ [...]</p>
October 29, 1930	<p>[REDACTED] pay fine for illegal wood cutting [REDACTED] will do same.⁶¹</p>
August 22, 1935	<p>A Call Meeting of the Trustees of the Mattaponi Indian Reservation, was held in the school house on the Reservation on August 22nd, 1935.</p> <p>[REDACTED] was made Chairman of the Meeting:</p> <p>Upon Roll Call of Members those were present as follows:</p> <p style="text-align: right;">Trustee's present:</p> <p>[REDACTED] Chief</p> <p>[REDACTED] Asst-Chief</p> <p>[REDACTED] y [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>After the Meeting was called to order, a Hymn was sung, and a prayer by the Chaplain.</p> <p>[REDACTED] brought to their attention before the Meeting in reference to [REDACTED] not paying his taxes and not contributing to the support of the Reservation and also violating tribal laws. [...]</p> <p>After much discussion motion of: [REDACTED]</p> <p>[REDACTED] seconded by [REDACTED] that</p>

⁶⁰ Law Ledger, 16 September 1930, [REDACTED] Private Collection, PDF Page 24.

⁶¹ Law Ledger, 29 October 1930, [REDACTED] Private Collection, PDF Page 25.

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Date	Excerpt
	<p>██████████ be put on probation for 60 days, provided he pays his taxes, and also \$34.16, to the ██████████. At the end of the 60 days if he has not made any efforts to comply with the above request he shall be expelled from the Reservation. He is also requested to attend all Council Meetings when he is notified.</p> <p>██████████ also brought charges against ██████████ for violating the tribal laws. On motion of ██████████ seconded by ██████████ that they be put on probation for 30 days in order that they may redeem themselves as proper citizens of the Reservation.</p> <p>██████████ also bought charges against ██████████ stating he owed him \$53.00 and had promised to pay him \$5.00 per week, and he paid \$5.00 for a period, but for the past three weeks he had not paid anything. He was ordered by the Trustee's to pay \$3.00 per week until the account was paid out.</p> <p style="text-align: center;">There being no further business the Meeting adjourned at 2:30 P.M.</p> <p style="text-align: right;">SIGNED: ██████████ Trustee.</p> <p style="text-align: right;">██████████ ██████████ Act. Sec'y ██████████ ⁶²</p>

Laws Applied to Outsiders on the Reservation

While the Mattaponi Tribal Council exerted authority over tribal members on the reservation, they also applied their authority to non-Mattaponi Indians for behavior on the reservation and fought to have their sovereignty acknowledged by outside local and state government officials. That the laws of the reservation to anyone on the reservation is evidenced by a Tribal Court case in 1926 in fines were assessed on a number of Mattaponi and Pamunkey tribal members for drunk and disorderly conduct (July 19, 1926). Likewise, in 1938, Chief George F. Custalow and O.T. Custalow approached the Governor to protest the entry of King William County law enforcement officers on reservations lands to make arrests without notification of the tribal government.⁶³

Table C2-10. Maintaining Social Order, 1920-1939: Laws Applied to Outsiders on the Reservation.

Date	Excerpt
July 19, 1926	<p>July 19- 1926 Trial</p> <p>Moved by ██████████</p> <p>Second by ██████████ that Chief will decide on cases that will come up tonite [sic]</p> <p>Carried</p> <p>Pamunkey boys and ██████████ as called on the 22nd July 1926</p>

⁶² Trustee Meeting Minutes, 22 August 1935, ██████████ Collection, Folder 1.

⁶³ The practice of local law enforcement notifying the Chief before entering the reservation to enforce Commonwealth laws is still in effect today: ██████████ "Interview: ██████████ by Katie Gibson and Tammy Heath. Mattaponi Indian Tribe, July 26, 2023, PDF Page 19-20.

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Date	Excerpt
	<p>[REDACTED] Fined \$2.50</p> <p>[REDACTED] Witness</p> <p>[REDACTED] Fined 2.50</p> <p>[REDACTED] Witness</p> <p>[REDACTED] Fined 2.50</p> <p>[REDACTED] itness</p> <p>[REDACTED] dismissed</p> <p>[REDACTED] Witness</p> <p>[REDACTED] dismissed</p> <p>[REDACTED] ismised</p> <p>[REDACTED] Richmond) Fined 2.50</p> <p>[REDACTED] (Richmond) Fined 2.50</p> <p>[REDACTED] ot subject)</p> <p>[REDACTED] quitted [sic]</p> <p>[REDACTED] Fined 2. 50</p> <p>[REDACTED] not subject</p> <p>[REDACTED] ined 2.50</p> <p>July 24/26 [REDACTED] has stated when sworn that he did not know of any one under the influence of Liquor Sunday morning that [REDACTED] did tell him July 18- 1926 there were 3 drunk on Sat. Night July 17- 1926 named were [REDACTED] and [REDACTED] testify that [REDACTED] was under the influence of strong drink. Junious Miles and Jimmie Bradby requested to come in the meeting to answer a complaint against them for drinking and being under the influence of Liquor and failed to comply.</p> <p>Signed [REDACTED] Chief ⁶⁴</p>
October 5, 1938	<p>Chief Custalow [REDACTED] of the Mattaponi reservation came to the Capitol yesterday to protest against alleged violation of territorial rights of the 67-acre tract on which his tribe of 80 persons resides.</p> <p>Specifically, he contended that deputy sheriffs of King William County have gone on his tribe's reservation and made arrests without first contacting some member of the Mattaponi governing body.</p> <p>[REDACTED] and accompanied by his son, O. T. Custalow [REDACTED] said that he was not trying to establish a refuge from justice or to interfere with officers in exercise of their duties. "What we want," he declared, "is recognition of our tribal government. We are no more a legal part of King William</p>

⁶⁴ Law Ledger, 19 July 1926, [REDACTED] Private Collection, PDF Page 20.

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Date	Excerpt
	County than is any other separate legal area, and a county deputy would not think of going into another county to make an arrest without first seeing authorities of that county. "We would help the officers to locate the persons wanted, if necessary, but we think our tribal government should be recognized and consulted. We are responsible for persons on our territory, and desire to be in a position to see that they will get a fair deal before we permit their arrest." Laws of the reservation are made by a vote of males over 18, with the chief, assistant chief and council acting as executive and judicial bodies, he explained. [...] ⁶⁵

Conclusion

The Mattaponi Tribal Council's continual maintenance and enforcement of the laws of the reservation demonstrates the Mattaponi tribal government's "strong influence on the behavior of individual members, such as the establishment or maintenance of norms or the enforcement of sanctions to direct or control behavior" (83.11 (c)(2)(i)(C)), and its ability to "settle disputes," (83.11 (c)(2)(i)(B)). Laws regarding allotments, taxation, and fines also demonstrate the Tribe's pertaining to allotments specifically show the existence of mechanisms to "allocate entity resources" (83.11 (c)(2)(i)(A)). Finally, court cases and tribal members and non-tribal members participation in them are indicative of the important membership place on such governmental processes (83.11 (c)(1)(ii)), and its widespread participation in the Tribe's political processes (83.11 (c)(1)(iii)).

Political Participation

In the period from 1920 to 1939, the tribal members resident on the Mattaponi Indian Reservation regularly participated in the governmental processes of the tribal government. This included mandatory attendance at tribal meetings, participation in elections, and community service as Council members or through appointments by the Mattaponi Tribal Council.

Tribal Meetings

While most attendance records are not available for this period it is clear that the tribal government continued to hold regular meetings with the adult male members of the tribal community living on the Reservation. Attendance in town meetings was mandatory,⁶⁶ and during this period efforts were made to enforce this requirement.⁶⁷ Meetings were called with a notice "pasted or tached [sic] at each fork of the Road" (May 17, 1920). Topics of meetings included allotment assignments, elections, and tribal court proceedings.

*Table C2-11. Political Participation, 1920-1939: Tribal Meetings.*⁶⁸

Date	Type of Meeting	Total Members Present
May 13, 1920	Town Meeting	Unknown
May 17, 1920	Town Meeting	Unknown
May 2, 1921	Town Meeting	Unknown
October 10, 1922	Town Meeting	Unknown
October 25, 1922†	Town Meeting, Election, & Court	Unknown
December 15, 1922†	Town Meeting & Election	Unknown

⁶⁵ Staff, "Mattaponi Chief Asserts Officers Violate Tribe's Rights," *Richmond Times Dispatch* (Richmond, VA), October 5, 1938.

⁶⁶ Law Ledger, 24 March 1914, ██████████ Private Collection, PDF Page 7.

⁶⁷ See, for example: Law Ledger, 20 September 1927, ██████████ Private Collection, PDF Page 21; Trustee Meeting Minutes. August 22, 1935. ██████████ Collection, Folder 1.

⁶⁸ Attendance information for meetings listed in this table can be found in: Law Ledger, 1914-1977, ██████████ Private Collection; Trustee Meeting Minutes. 22 August 1935. ██████████ Collection, Folder 1.

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Date	Type of Meeting	Total Members Present
September 3, 1923	Town Meeting	Unknown
September 8, 1924	Town Meeting	Unknown
May 25, 1926†	Town Meeting & Election	Unknown
July 5, 1926	Town Meeting	Unknown
July 19, 1926	Tribal Court	12
August 2, 1926	Town Meeting	Unknown
September 20, 1927	Town Meeting	Unknown
January 16, 1928	Town Meeting	Unknown
April 18, 1928	Trustee Election	Unknown
June 4, 1929	Town Meeting	Unknown
July 8, 1929	Town Meeting	Unknown
September 9, 1929	Town Meeting	Unknown
July 25, 1930	Town Meeting	Unknown
September 16, 1930	Town Meeting	Unknown
October 29, 1930	Town Meeting	Unknown
June 19, 1931†	Town Meeting & Election	Unknown
September 10, 1931	Town Meeting	Unknown
October 29, 1931	Town Meeting	Unknown
August 22, 1935	Trustee Meeting	7
December 3, 1937†	Town Meeting & Election	Unknown
December 15, 1937	Town Meeting	Unknown

†Signifies meetings at which the community was asked to vote on a particular issue including formal elections.

Elections

Between 1920 and 1939, Town Meetings for which there are surviving meeting minutes were the venue for 5 Council elections where voting members of the Tribe selected individual tribal members to serve in the offices of Chief, Assistant Chief, and Councilman (October 24, 1922; December 15, 1922; June 19, 1931; December 3, 1937). In addition, the Tribe held elections for Trustees (April 18, 1928) and for School Superintendent (September 9, 1929; September 16, 1930; September 10, 1931; December 15, 1937). Each of these elections demonstrates the participation of tribal members in the Tribe's political processes, particularly the selection of leadership.

Table C2-12. Political Participation, 1920-1939: Elections.

Date	Excerpt
October 25, 1922	[REDACTED] and [REDACTED] Governor Allmond, b.1884 – d.1958] elected Council men. ⁶⁹
December 15, 1922	2. Will and did [sic] did accept [REDACTED] Resignation as council man. Carried. 3. Elect [REDACTED] Council men- [REDACTED] second Chief (sistian) [sic] ⁷⁰

⁶⁹ Law Ledger Book, 25 October 1922, [REDACTED] Private Collection, PDF Page 18.

⁷⁰ Law Ledger Book, 15 December 1922, [REDACTED] Private Collection, PDF Page 18.

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Date	Excerpt
May 25, 1926	[REDACTED] elected to replace [REDACTED] who moved to Philadelphia Pa Carried.
April 18, 1928	Call meeting to elect Trustees Chairman [REDACTED] [REDACTED] lected [REDACTED] elected [REDACTED] elected Were elected Trustees of the Mattaponi Indians of the Mattaponi Indian Reservation ⁷²
September 9, 1929	[REDACTED] elected as Superintendent of our school for class session ⁷³
September 16, 1930	Moved by [REDACTED] Second by [REDACTED] that [REDACTED] [REDACTED] be elected superintendent for school for session of 1930 Carried. ⁷⁴
June 19, 1931	Pass on Indian Certificates and to elect [REDACTED] [REDACTED] for Assistant chief ⁷⁵
September 10, 1931	Sept 10- 1931 Prepare school for session Elect Superintendent [REDACTED] reelected ⁷⁶
December 3, 1937	Moved by [REDACTED] econd by [REDACTED] [REDACTED] for Asst. Chief. Carried Moved by [REDACTED] Second by [REDACTED] [REDACTED] Councilman Head [REDACTED] Councilman Head ⁷⁷
December 15, 1937	Dec. 15- 1937

⁷¹ Law Ledger Book, 25 May 1926, [REDACTED] Private Collection, PDF Page 19.
⁷² Law Ledger Book, 18 April 1928, [REDACTED] Private Collection, PDF Page 22.
⁷³ Law Ledger Book, 9 September 1929, [REDACTED] Private Collection, PDF Pages 23 & 24.
⁷⁴ Law Ledger Book, 16 September 1930, [REDACTED] Private Collection, PDF Page 24.
⁷⁵ Law Ledger Book, 19 June 1931, [REDACTED] Private Collection, PDF Page 25.
⁷⁶ Law Ledger Book, 10 September 1931, [REDACTED] Private Collection, PDF Page 25.
⁷⁷ Law Ledger Book, 3 December 1937, [REDACTED] Private Collection, PDF Page 27.

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Name	1934	1935	1936	1937	1938	1939
[REDACTED]			X	X	X	X
[REDACTED]					X	X
[REDACTED]				X	X	X

Women’s Participation in Tribal Governance

Mattaponi women at this time were not afforded the right to vote, as, according to Chief Custalow, the:

Laws of the reservation are made by a vote of males over 18, with the Chief, Assistant Chief and Council acting as executive and judicial bodies.⁸⁶

Women were also debarred from Town Meetings. Yet women were a part of the political system, acting as the secretaries of governmental activities that have made it possible for the Tribe to preserve its history and governance and to present it in this petition. They also regularly participated in their role as wives and daughters with inheritance rights and on whom tribal governance had a profound effect. That their participation is present but invisible during this period is exemplified by the characterization provided by the then secretary to her children:

... she [REDACTED] told how her mother [REDACTED] used to be the recording secretary for the Tribe but, since she was female, she was not allowed in the room where council meetings were held. Meetings were then held in the [REDACTED] general store. Marie used to sit just outside the shoproom, in her parents-in-laws’ bedroom, with the door open so that she could hear—and at the end of the meeting she’d sign her name to the minutes, which were the accepted record of tribal council meetings of that time.⁸⁷

The Mattaponi, like the Pamunkey Indian Tribe, retained restrictions on women’s political participation into the contemporary era, with the Mattaponi allowing women full participation with the adoption of their new constitution in 2023.

Conclusion

Reservation residents’ participation in town meetings, internal elections, and other governmental matters demonstrates the Tribe’s ability to “mobilize significant numbers of members and significant resources from its members for entity purposes” (83.11 (c)(1)(i)), that “the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance” (83.11 (c)(1)(ii)), and that “there is widespread knowledge, communication, or involvement in political processes by many of the entity’s members” (83.11 (c)(1)(iii)). The regular participation in elections specifically demonstrates a “means of selection or acquiescence” of entity leaders (83.11 (c)(1)(viii)) during this period. Mandatory meeting attendance and the ordered process of paying annual taxes to the Tribe further demonstrates the Mattaponi Tribal Council’s exertion of “strong influence on the behavior of individual members, such as the establishment or maintenance of norms or the enforcement of sanctions to direct or control behavior” (83.11 (c)(2)(i)(C)).

⁸⁶ Staff, “Mattaponi Chief Asserts Officers Violate Tribe’s Rights,” *Richmond Times Dispatch* (Richmond, Virginia), October 5, 1938.

⁸⁷ “Information gleaned from [REDACTED] 4 April 1986, Helen C. Rountree Fieldnotes, April 1986-December 1986, Helen C. Rountree Papers, National Anthropological Archives, Smithsonian Institution, National Anthropological Archives, Washington, D.C. Box 3, Folder “Fieldnotes April 1986-December 1986,” PDF Page 5.

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External Relations

During the period of 1920 to 1939, the Mattaponi Indian Tribe maintained formal and informal interactions with state, local, and federal authorities, and other tribal governments. These efforts included but were not limited to negotiations to maintain their Indian identity by protesting the Racial Integrity Act, protecting their non-taxed status, and participating in intertribal community events including the annual tax tribute ceremony.

Protection of Indian Status

One of the central roles of the Mattaponi Tribal Council in the period from 1920 to 1939 was the preservation of tribal and Indian Status. This included the protection of Indian status in the face of Virginia’s racial integrity laws, tax exemptions afforded tribal members living on the reservation, and fishing and hunting exemptions. In each case, the tribal government interfaced directly with the state and local government officials to ensure that the Tribe’s status was recognized and safeguarded.

Virginia Racial Integrity Laws

In 1924, the Racial Integrity Act was signed into law. The law, and a series of related amendments threatened the legal status of Virginia Indians. The Racial Integrity Act of 1924 enforced the “one drop rule” meaning anyone with non-white ancestry was considered “colored.”⁸⁸ What this meant for Virginia Indians is a chapter largely known as the *Paper Genocide*, in which a zealot and eugenicist at the head of Virginia Bureau of Vital Statistics, Walter Ashby Plecker, systematically altered the vital records of members of Virginia’s tribes to erase the racial category of “Indian” and threatened tribal midwives and others with jail time for choosing such designations.⁸⁹ In an effort to specifically exclude ‘Indian’ as a racial category, Plecker issued a list of surnames of families who largely claimed Indian ancestry that county officials should reject. In King William County, the list included Mattaponi surnames such as Langston, Custalow, and Allmond.⁹⁰ Plecker’s efforts were met with severe protest from Virginia tribal leaders, including Mattaponi Chief George F. Custalow. The Mattaponi Tribal Government issued a formal letter denouncing the claims published by Plecker, laying out their continuous recognition as Indian by the Commonwealth and the federal government, and stating that they would continue to preserve their Indian identity (April 24, 1925). Tribal leaders continued to advocate, often alongside the other Virginia Tribes, to advocate for their status and rights as Indians (July 14, 1925; February 4, 1926; February 13, 1930).

Table C2-14. External Relations, 1920-1939: Commonwealth of Virginia Racial Integrity Laws.

Date	Excerpt
April 24, 1925	<p>We the undersigned members of the Mattaponi Indian Reservation, in the County of King William, State of Virginia, on this 24th day of April, in the year of 1925, do deny the broad assertions published by Dr. W.A. Plecker, State Registrar, of vital statistics of Richmond, Virginia in his booklets of 1924, called the Eugenics, or any other literature published by him, or written by him;</p> <p>We do deny the charge published by Dr. W. A Plecker that we are of a negro mixture, and we will not register as mixed Indians.</p>

⁸⁸ A caveat to the “one drop rule” was that white “persons with one sixteenth or less of the blood of the American Indian and have no other non-Caucasic blood shall be deemed white persons,” This was an exemption made to accommodate white persons claiming descent from Pocahontas.

⁸⁹ Under language in the bill that made it illegal to “falsify” racial categorization on government documents. See: Talbot, Tori, “Walter Ashby Plecker (1861–1947).” *Encyclopedia Virginia*, September 21, 2024, <https://enclopediavirginia.org/entries/plecker-walter-ashby-1861-1947/>; Rountree, Helen C., *Pocahontas’s People: The Powhatan Indians of Virginia through Four Centuries*. 1st ed. Norman, Oklahoma: The University of Oklahoma Press, 1990.

⁹⁰ “Surnames, by Counties and Cities, of Negroid Virginia Families Striving to Pass as “Indian” or White,” Personal Papers: James R. Coates, 1833-1947, Accession 31577, Personal Papers Collection, Library of Virginia, Richmond, Virginia, PDF Page 13.

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Date	Excerpt
	<p>background could be found in birth, death and marriage record of his bureau. If he has any Mattaponis registered in vital statistics, it is without our knowledge or consent.</p> <p>[...] We, the Mattaponi Tribal Indians, are not connected with any band, group, or confederacy of Virginia Indians, and we have been a tribe ever since the Virginia Colonists first met in America.</p> <p>[...] M. K. Sniffins, editor of Indian Truth, has been quoted as saying that the Virginia Indians were peaceable, law abiding and tax-paying citizens. If he has reference to the Mattaponi tribe, he is partly correct, and partly incorrect. We speak with pride of our tribe being peaceable and law-abiding, but being tribal Indians, we are exempt from all taxes, state, local and otherwise.⁹²</p>
February 4, 1926	<p>[...] The most dramatic scene of the present session occurred in the House when delegations from the Indian tribes of Rappahannock, Pamunkey, Mattaponi and Chickahominy appeared before the House General Laws Committee to protest against the impending racial integrity law sponsored by Delegate Norris, of Lancaster, and supported by Dr. W. A. Plecker, Registrar of Vital Statistics; John Powell, of the Anglo-Saxon Clubs of America, and others that would classify them as 'colored.' Many of their white friends accompanied the Indians and supported their cause.⁹³</p>
February 13, 1930	<p>Gentlemen, through a publication made by E. S. Cox, the word has been used that there are no Indians in the state of Virginia, I contradict this statement by certificates of Indian births and deaths issued under the hand of Dr. W. A. Flecker, registrar of vital statistics of Virginia. [...]</p> <p>Gentlemen, I wish, to state that as far back as 1658 under the act of the Grand Assembly, the first to be served with lands were the Mattaponi and Pamunkey Indians (Colonial Laws, P. 148-150). Gentlemen, I want to say from that time on we have [<i>sic</i>; been] recognized by the white man's government to be Tribal Indians and wards of the state. We have always kept our Tribal standing from customs down to written laws; we were granted a separate government under our Tribal standing; we do not vote in the white-man's government; or pay taxes to his government. We make our own laws, governing our Reservation by Chief and Councilmen and eligible bucks of the Tribe.</p> <p>We have recognition from the lowest term of the white-man's government to the highest, recognizing us to be tribal Indians. We have recognition by the Commonwealth of our county to be tribal Indians also backed by the recognition of the Attorney- Genreal [<i>sic</i>] of the state and also by our Hon. Great White Chief, Gov. Pollard, who once served as Attorney-General. Gentlemen I wish to state again that during the World War, under the military law the Mattaponi and Pamunkey were recognized to be tribal Indians under the ruling received by Hon. Gov. Stuart from Provost, Marshall General Crowder, who had been asked to pass on the status of the Pamunkey and Mattaponi Tribes as regarded army service. 'Tribal Indians are not subject to selective draft.'</p> <p>[...] I. T. Custalow [REDACTED]</p> <p>Assistant Chief.</p> <p>Mattaponi Tribal Indians⁹⁴</p>

⁹² Staff, "Mattaponi Indian Chief Says Tribe Not Negroid," *Richmond Times Dispatch* (Richmond, VA), July 14, 1925.

⁹³ Staff, "Provides Kindergartens," *The Gloucester Gazette* (Gloucester, VA), February 4, 1926.

⁹⁴ Staff, "Letter from Asst. Chief Custalow," *The Tidewater Review* (West Point, VA), February 13, 1930.

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The efforts of the Pamunkey and Mattaponi tribal leaders were ultimately successful, obtaining an Indian exception to the Racial Integrity Act:

The Senate has passed by a unanimous vote the Ball racial integrity bill defining every one with any "ascertainable" negro blood as "a colored person," with exceptions as to the Pamunkey and Mattaponi Indians. The bill had already passed the House by a vote of 76 to 9, without any exception as to Indians. It is regarded as a foregone conclusion that the House will agree to the to the clause in the Senate bill excluding the Pamunkey and Mattaponi Indians from being classed as "colored" as long as they are domiciled on their reservations, and have one-fourth Indian blood and less than one-sixteenth negro blood.⁹⁵

The Ball Bill established tight strictures on Indian status for the two tribes but allowed them to maintain their Indian status.

“Richmond, Va.— (C. N. S.)—The recently enacted “racial integrity” bill which defines as “colored” all persons having an “ascertainable” degree of Negro blood has been amended by the Senate to exclude Pamunkey and Mattaponi Indians from being classed as “colored” as long as they are domiciled on their reservations, and have one-fourth Indian blood and less than one-sixteenth Negro blood and who agree to marry only with others of the same racial and tribal classification. The bill provides that the Pamunkes and Mattaponis may bring forward "biological, ethnological and historical evidence, including historic records,” and that the court shall have “jurisdiction to ascertain and determine a roll of the members of any such tribe of Indians.” The Registrar of Vital Statistics is obligated, under the bill, to register the Indians in accordance with the findings of the court.”⁹⁶

Mattaponi tribal leaders continued to lobby for the protection of their Indian status throughout this time period which is indicative of their efforts to represent the tribe and coordinate efforts with leaders of other Federally Recognized tribes such as Pamunkey.

Tax Exemption

In 1924, the tribal government also intervened with state authorities to ensure that the Tribe’s tax-exempt status was recognized and protected.⁹⁷ Chief George F. Custalow wrote to Governor Trinkle to be advised whether property belonging to the Tribe was subject to taxation. Governor Trinkle forwarded the query on to the Attorney General, who replied that tribal members on the reservation were not subject to taxation was upheld demonstrating the continued recognition of the Tribe’s authority over reservation lands (May 22, 1924).

Table C2-15. External Relations, 1920-1939: Protection Against Taxation.

Date	Excerpt
May 22, 1924	<p>INDIANS—Property of tribes exempt from taxation</p> <p>Richmond, VA., May 22, 1924.</p> <p>His Excellency, E. Lee Trinkle</p>

⁹⁵ Staff, “Senate Amends VA. Race Bill,” *The Washington Post* (Washington D. C.), February 17, 1930.

See also: Staff, “Virginia Solons Pass One Drop Bill,” *Richmond Planet* (Richmond, VA), February 22, 1930.

⁹⁶ Staff, “Cial [sic] Status Through Courts,” *The Planet* (Richmond, VA), March 1, 1930. See Also: Staff, “Approve Bill Increasing Pay to Injured,” *Richmond Times Dispatch* (Richmond, VA), February 21, 1930.

⁹⁷ Protection of tribal tax exemption status included protest of levying a peddler’s license tax for selling fish off the reservation which is evidenced in the License Exemption table below.

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Date	Excerpt
	<p>Governor of Virginia.</p> <p>My Dear Governor:</p> <p>Acknowledgement is made of your communication of recent date with which you enclose a letter from the chief of the Mattaponi Indian tribe, in which he asked to be advised whether the personal property belonging to the tribe and located on the reservation is subject to levy by the county officers, and sold under such levy.</p> <p>It is my opinion that the property on the reservation is not subject to levy. So long as these tribes follow up their pursuits upon the reservation, they are not subject to taxes by the laws of the State of Virginia (Report of the Attorney General, 1917, page 160). These Indians are wards of the State, and, in my opinion, their property located on the reservation is not subject to levy.</p> <p>Of course, where their property has already been levied, the chief [REDACTED] of the tribe should bring the matter to the attention of the proper court, which I am sure will grant the tribe the redress to which it is entitled.</p> <p>Yours very truly,</p> <p>JNO. R. SAUNDERS, Attorney General.⁹⁸</p>

License Exemption

While the establishment of the hatchery on the reservation was significant to the replenishment of shad and herring as a resource for the Mattaponi Indian Tribe, the tribal government also sought to protect tribal citizen's rights pertaining to fishing, particularly ensuring their exemption from requirements to obtain licenses to fish or to sell fish in Richmond. In 1932, a merchant in the City of Richmond brought charges against O.T. Custalow for selling fish without a license. The judge ruled that members of the Tribe were permitted to sell fish caught in the Mattaponi River in Richmond without a peddler's license (May 14, 1932). In 1933, with regard to a similar effort to require a license, Chief George F. Custalow sought legal counsel from the Governor, who in turn requested an opinion from Commonwealth's Attorney General regarding the Tribe's right to hunt and fish public waters without a license, which was affirmed (March 23, 1933).

Table C2-16. External Relations, 1920-1939: Peddlers License Tax.

Date	Excerpt
May 14, 1932	<p>The man who catches a fish may legally be said to have 'produced' said fish, Judge John L. Ingram, himself an Isaak Walton of parts, ruled yesterday in Hustings Court in acquitting O.T. Custalowe [REDACTED] son of Chief Custalowe [REDACTED] of the Mattaponi Indians, on a charge of peddling members of the finny tribe in Richmond without a license.</p> <p>[...] Winston Montague, attorney for Custalowe, [<i>sic</i>; Custalow] said he understood the Mattaponis had been selling fish here for a long time without molestation until a commission merchant complained and brought about his client's arrest.⁹⁹</p>

⁹⁸ Copy of the Report of the Attorney General in Governor Godwin, Mills E. Executive Papers, 1974-1978, Accession 29660, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 14, Folder "Indians 1975," PDF Page 13.

⁹⁹ Staff, "Judge Rules Fisherman May Peddle His Catch in Richmond," *Richmond Times Dispatch* (Richmond, VA), May 14, 1932.

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Date	Excerpt
May 18, 1932	<p>[REDACTED]</p> <p>Sweet Hall, Va. Dear Chief: Your son's [REDACTED] case, which was appealed to the Hustings Court, has been heard before Judge Ingram and he decided the case in favor of your son; that is to say, he found him not guilty and held that an Indian catching shad in the Mattaponi may bring his fish to town and sell them on the streets of Richmond without a peddler's license. [...]</p> <p>This does not seem to be the end of the matter, however. I was informed this morning by Judge Ingram that the commission merchants have been to Mr. Cary and had him prepare an ordinance for introduction at the next meeting of the Council. I have not seen this ordinance, but I understand that it will prohibit the members of your Tribe from selling fish on the streets of Richmond unless they pay peddler's license tax. I am sure that you will want to fight this ordinance and I believe that if we start in time we can possibly keep the ordinance from passing the Council. Please advise me at once whether or not you wish me to endeavor to block the passage of this proposed ordinance.</p> <p>Very truly yours, Winston Montague¹⁰⁰</p>
March 23, 1933	<p>Honorable John Garland Pollard Governor of Virginia</p> <p>My dear Governor:</p> <p>Recently Custalow [REDACTED] Chief of Mattaponi Tribe of Indians, came in to see me, saying that question had been raised in King William as to the necessity of Indians living on the Mattaponi and Pamunkey Reservations taking out license to fish in the public waters.</p> <p>I wrote Col. John R. Saunders with reference to this and have thought it might be well to call the matter to your attention, as Col. Saunders may take the matter up with you.</p> <p>The position I took, and I think Col. Saunders agreed with me, is that the Commonwealth of Virginia has never levied license or other taxes against these Indians, and that they have always fished in the rivers of the Commonwealth without being required to pay a license. It seems to me that any action now taken should conform to this long usage, and I trust that if the matter be referred to you, you may find upon consideration that the course indicated by me is the proper one to be taken by the officers of the Commonwealth.</p> <p>Sincerely yours, Hill Montague [...]</p> <p>March 24, 1933</p> <p>Hon. Hill Montague Travelers Building Richmond, Va.</p> <p>Dear Hill:</p> <p>Yours of March 21st received. I have an indistinct recollection of having, at the time I was Attorney General, looked into the question you raise with reference to the Indians living on</p>

¹⁰⁰ Letter from W. Montague to Chief George F. Custalow, 18 May 1932, [REDACTED] collection, Section 3, PDF Page 2.

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Date	Excerpt
	<p>the Mattaponi reservation, and I think my opinion of the subject is printed in the Opinions of the Attorney General. My recollection is that I came to the same conclusion that you have arrived at.</p> <p>With best wishes, I am</p> <p>Cordially yours,</p> <p>Governor¹⁰¹</p>

Ceremonial Representation

Members of the Tribal Government represented Mattaponi at intertribal functions such as the annual Chickahominy fish fry (July 31, 1922; July 18, 1923) and annual observances at Powhatan Hill Park commemorating the arrival of the English colonists (May 23, 1931; May 24, 1935; May 24, 1936). Special commemorative events during this period included the Yorktown Sesquicentennial which Chief George F. Custalow, Assistant Chief O.T. Custalow, attended alongside Chiefs from the Pamunkey and Chickahominy Tribes (October 21, 1931). The Tribe also participated in commemorative events at Chimborazo Park in Richmond (December 22, 1932). Mattaponi representation at intertribal events during this period demonstrates Tribal leaders acting in coordination with other federally recognized tribes.

Table C2-17. External Relations, 1920-1939: Ceremonial Representation.

Date	Excerpt
July 31, 1922	<p>The annual fish fry and picnic of the three original tribes of Virginia Indians, the Chickahominy, the Pamunkey and Mattaponi; the reservations of which are located near the mouth of the rivers for which they are named, was held on the fishing grounds of the Chickahominy [<i>sic</i>; Chickahominy] tribe near Windsor Shades, Saturday.</p> <p>[...] After dinner talks were delivered by the following: Colonel McDonald Lee, Colonel Park Deane, secretary to [<i>sic</i>] Governor Trinkle; Major R. F. Bierne, industrial commissioner; D. M. Blankenship, of the rehabilitation department of the industrial commission; M. D. Hart, game warden; Mr. Miles, superintendent of the Pamunkey Sunday-school; Dr. Potts and others. Thomas C. Whitlow, pastor of Samaria Indian church; Rev. Dr. Sudduth, Northern Baptist missionary, and Layman William Bradby, offered prayers.</p> <p>Among other guests present were Dr. N. Thomas Ennett, Mrs. R. F. Beirne, R. F. Beirne, Jr., James Hayes, Walter Melton, and several members of the Richmond postoffice [<i>sic</i>] force with their families.¹⁰²</p>
July 18, 1923	<p>A number of state and city officials and other prominent [<i>sic</i>] persons attended the annual fish fry Saturday of the Chickahominy tribe of Indians. The festivities took place at Windsor Shades, on the banks of the Chickahominy River, in New Kent county.</p> <p>Chief Adkins made the address of welcome and introduced George A. Bowden of the Virginia industrial commission, who acted as toastmaster. Addresses of greeting were made by Chief William Miles, of the Pamunkey tribe; Chief Nelson,</p>

¹⁰¹ Letter exchange from H. Montague to Governor Pollard, 23 March 1933, Governor Pollard, John, Executive Papers, Accession 23344A, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 86, Folder 9. PDF Pages 3 & 5.

¹⁰² Staff, "Indian Tribes Hold Picnic," *The News Leader* (Richmond, VA), July 31, 1922.

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	<p>of the Rappahannock tribe, and Chief Custalo [REDACTED] of the Mattaponi tribe.</p> <p>Among the guests who made after dinner speeches were: Parke Deans, secretary to the governor. Col. W. McDonald Lee, state game and fish commissioner; Postmaster Joseph W. Stewart, of Richmond; William M. Myers, director of public safety, and M. D. Hart.¹⁰³</p>
May 23, 1931	<p>The ceremonies marking the 324th anniversary of the arrival of Englishmen at the site of Richmond will begin at Powhatan Hill Park at 3 o'clock under the auspices of the Powhatan Hill Memorial Association.</p> <p>[...] Lieutenant-Governor James H. Price will preside, and Dr. Hugh J. Eckenrode, State Historian, will deliver the principal address. Chief Custalow [REDACTED] of the Mattaponi tribe will also talk. Lieutenant-Governor Price will be introduced by Alderman J. Vernon Rice, and an invocation will be offered by the Rev. James Buchanan, pastor of Fulton Baptist Church.</p> <p>Dances in Indian costume will be given by members of the Chickahominy, Pamunkey and Mattaponi tribes. [...] ¹⁰⁴</p>
October 21, 1931	<p>On their way home from the Yorktown Sesquicentennial, four Indian chiefs paused in this city yesterday to collect 'wampum' or fees for their services during the celebration and to be introduced to city officials.</p> <p>The Indians were Chief Miles, of the Pamunkey tribe; Chief Atkins, of the Chickahominy tribe; Chief Custalow [REDACTED] and his son, Assistant Chief O. T. Custalow [REDACTED] of the Mattaponi tribe.</p> <p>The tribal names are considerably harder to pronounce, Chief Miles being Ma-na-ta-oo-p, Chief Atkins, Nantan-us, Chief Custalow, Tecumseh, and Assistant Chief Custalow, Hoski-nowana-ah [<i>sic</i>; Hos-Ki-No-Wa-Na-Ah]. [...]"</p> <p>Photo caption: "Rulers of the Indian tribes who have been encamped at Yorktown during the Sesquicentennial visited Newport News yesterday and were caught by the cameraman in company with a group of city officials. Left to right, the group includes Councilman Thomas B. Jones, Councilman J. Hugh Caffee, Chief Tecumseh (O. T. Atkins) of the Chickahominies, Chief Manataways (P. L. Miles) of the Pamunkeys, Mayor Harry Reyner, Assistant Chief Custalow of the Mattaponis, Chief Custalow of the Mattaponis, Vice-Mayor R. W. West, City Manager Joseph C. Biggins, and City Clerk A. M. Hamilton.¹⁰⁵</p>
December 22, 1932	<p>Twelve members of the Mattaponi Tribe of Indians took part in the celebration and parade, which began on Chimborazo Park, ending at 17th street, the old market on Dec. 9.</p> <p>Chief Geo. F. Custalow [REDACTED] was present, Asst. Chief O. T. Custalow [REDACTED] was one of the speakers on this occasion, which went on the air. After the speaking was over, The Mattaponi Tribe under the direction of Asst. Chief O. T. Custalow was called on to perform the Indian welcome dance in honor of Col. Saunders,</p>

¹⁰³ Staff, "Annual Fish Fry of Chickahominy Tribe," *The Daily Star* (Fredericksburg, VA), July 18, 1923.

¹⁰⁴ Staff, "Powhatan Hill Celebration to Be Held This Afternoon," *Richmond Times Dispatch* (Richmond, VA), May 23, 1931. See Also: Staff, "Price Will Preside Over Indian Party," *The Staunton News Leader* (Staunton, VA), May 23, 1931.

¹⁰⁵ Staff, "Indian Chiefs Visit City to Collect Wampum," *Newport News Daily Press* (Newport News, VA), October 21, 1931.

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Date	Excerpt
	Mayor Bright, Hon. Harry M. Smith and wife, Prof. Lyon G. Tyler and many others of the prominent guests and speakers including Pres. Henry Weinberg and members of the Down Town and Old Market Association. ¹⁰⁶
May 24, 1935	Mayor Bright, in the role of the Great White Father of Richmond, joined with descendants of Indian tribes yesterday on Powhatan's Hill to commemorate the time 328 years ago when, only eight days after landing at Jamestown, Captain John Smith and party visited the great Chief Pow-hatan [...] Of this number the Mattaponis, believed to be part of the Pamunkey tribe, still live on the Pamunkey River and live largely by trapping, fishing and conducting fishing parties. They are 'reservated Indians' of the treaty of 1677, paying no taxes. They worship at their own church, which is Baptist. [...] ¹⁰⁷
May 24, 1936	<p>Subtitle: "Pamunkeys, Mattaponis Gather on Powhatan Hill, Which Captain Smith Climbed 300 Years Ago—Maybe"</p> <p>[...] The program was arranged without a principal speaker, but Chief Costello [REDACTED] who is a striking figure in his red velvet jacket all trimmed with flashing braid and set with Indian beads, delightfully upset this calculation. [...]</p> <p>He said he was proud to be there: that the Indians from his tribe (the Mattoponi) [<i>sic</i>; Mattaponi] and those from the Pamunkey's, he knew were proud of the privilege of keeping alive something about Indians.</p> <p>[...]</p> <p>The crowd applauded and Sam Woody, who was master of ceremonies in the absence of Mayor Bright, said that Chief Costello [<i>sic</i>; Custalow] had a fine attitude and that the world would be better off if others shared the chief's peaceful, friendly views. ¹⁰⁸</p>

Annual Tax Tribute

During the period from 1920 to 1939, the Mattaponi Indian Tribe continued to present the Governor of Virginia with game at the capitol in lieu of taxes. This practice dates to the treaties of 1646 and 1677 which established that the Pamunkey and Mattaponi were to "then and there pay the accustomed Tribute of Twenty Beaver Skins to the Governour, and also their Quit-Rent aforesaid."¹⁰⁹ Though these treaties were made with the British crown, the event continues as an obligation and a tradition that affirms the government-to-government relationship between the Tribe and the Commonwealth of Virginia.

Table C2-18. *External Relations, 1920-1939: Annual Tax Tribute.*

Date	Excerpt
March 4, 1938	The Pamunkeys and Mattaponis regularly bring annual tributes of game and fish to the Governor. No other tribal fees are required by law. ¹¹⁰

¹⁰⁶ Staff, "Mattaponi Indians in Market Celebration at Richmond." *The Tidewater Review* (West Point, VA), December 22, 1932.

¹⁰⁷ Staff, "Colorful Ceremony Marks 'Discovery' of City in 1607," *Richmond Times Dispatch* (Richmond, VA), May 24, 1935.

¹⁰⁸ Hart, Scott, "Indian Drums Mutter at Birthday Party Here," *Richmond Times Dispatch* (Richmond, VA), May 24, 1936.

¹⁰⁹ Vaughan, Alden T., *Early American Indian Documents: Treaties and Laws, 1607-1789 4* (Maryland: University Publications of America, 1983), 82-87 [PDF 57-59].

¹¹⁰ Staff, "Indian Tribes," *Richmond News Leader* (Richmond, VA), March 4, 1938.

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Conclusion

The involvement of tribal leaders in these matters demonstrates that the Tribe's governing body played a key role in "representing the entity in dealing with outsiders in matters of consequence," (83.11(c)). The coalition of Virginia tribes protesting the Racial Integrity Act and intertribal community activities show Federally recognized tribal governments including the Pamunkey, Chickahominy, and Rappahannock had a "significant relationship with the leaders or the governing body of the petitioner" (83.11(c)(1)(vi)). These relationships also signify the trust that membership puts in tribal leaders to represent their interests and thus also provides evidence demonstrating that "many of the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance" (83.11 (c)(1)(ii)) and that "there is widespread knowledge, communication, or involvement in political processes by many of the entity's members" (83.11 (c)(1)(iii)).

Further, the mediation of tribal leaders in issues related to the livelihood strategies of selling fish outside of the reservation demonstrate their ability to "allocate entity resources such as land, residence rights, and the like" (83.11 (c)(2)(i)(A)), have influence over "economic subsistence activities," (83.11 (c)(2)(i)(D)), and "settle disputes," (83.11 (c)(2)(i)(B)) off the reservation. The Mattaponi Tribal Council is also able to exert "strong influence on the behavior of individual members" [...] (83.11 (c)(2)(i)(C)) by encouraging participation in intertribal events such as the Annual Tax Tribute. Each of these instances provide evidence of the Tribal Government's authority and mediation with outsiders during this period.

Evidentiary Applicability

Overall, the evidence presented above demonstrates that the Mattaponi Indian Tribe meets Criterion 83.11 (c)(1) and (c)(2) throughout the period from 1920 to 1939. Moreover, the substantial evidence from meeting minutes and other primary and secondary sources of evidence under Criterion 83.11 (c)(2) is sufficient to meet Criterion 83.11 (b)(2)(v) for the same period.

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3. Criterion (c): 1940 to 1959

Introduction

Between 1940 and 1959, a variety of sources demonstrate the continuous exercise of political authority by the Mattaponi Chief and Council in fulfillment of Criterion (c) of 25 CFR 83.11. These examples include the tribal government's "political influence or authority over its members" (83.11(c)(1)) through the regulation of activities that structured the lives of tribal members. Specifically, the tribal government was regularly able to "mobilize significant numbers of members and significant resources... for entity purposes" (83.11 (c)(1)(i)) through its organization of internal events like town meetings and external events such as the annual tribute to the Governor. Tribal members' participation in these and other tribal activities also demonstrate the existence of "widespread knowledge, communication, or involvement in political processes" (83.11(c)(1)(iii)). Participation in these and other processes and institutions overseen by the tribal government, such as the Mattaponi Indian School, demonstrate the import members placed on the "issues acted upon or actions taken by entity leaders" (83.11(c)(1)(ii)). The tribal government mediated internal disputes over issues such as employment opportunities at the hatchery, showing the existence "internal conflicts that show controversy over valued entity goals, properties, policies, processes, or decisions" (83.11 (c)(1)(v)). It also continued its close relationship with the Pamunkey Indian Tribe through intertribal events, demonstrating its ongoing relationships with federally recognized Indian tribes (83.11 (c)(1)(vi)). The continuous administration of the Mattaponi Indian Reservation through the allotment and management of reservation lands is indicative of the Tribe's continuous occupation and use of the state-reservation initially conferred to it in the colonial period (83.11 (c)(1)(vii)). Finally, tribal meeting minutes and secondary sources establish the existence of a "continuous line of entity leaders and a means of selection of acquiescence by a significant number of the entity's members" (83.11 (c)(1)(viii)).

The evidence of political authority from 1940 to 1959, and throughout the 20th and 21st centuries, demonstrate that Mattaponi Indian Tribe's fulfillment of 25 CFR 83.11 (c)(2). Specifically, evidence shows that the Tribal Government regularly allocated entity resources through land allotment to tribal members, and for the benefit of institutions such as the school, church, and hatchery (83.11 (c)(2)(i)(A)). The tribal government also intervened in the activities of tribal citizens in accordance with the tribal laws in ways that demonstrate its role in the regular settlement of internal disputes (83.11 (c)(2)(i)(B)) and its strong influence over member behavior (83.11 (c)(2)(i)(C)). Activities like the intervention and mediation with the hatchery and the Selective Service show the tribal government's ability to organize the economic subsistence activities of its members (83.11 (c)(2)(i)(D)). Such evidence, by meeting the requirements of 25 CFR 83.11 (c)(2), fulfills the crossover provision in 25 CFR 83.11 (b)(2)(v) and thus has "provided more than sufficient evidence to demonstrate distinct community" for the period from 1940 to 1959.

Tribal Leadership

In the period between 1940 to 1959, the Mattaponi Indian Tribe retained a consistent political leadership structure of a Chief and Tribal Council who were selected through elections. The tribal government's political processes in are well documented in Tribal Meeting Minutes.¹ During this period, ██████████ remained chief until 1944 when he recommended his son, ██████████ to step in as acting

¹ A sampling of minutes showing frequent meetings as part of political participation by tribal leaders includes: 17 October 1941, (b) (6) ██████████ Private Collection; 16 May 1949, ██████████ Collection, Section 1; 27 September 1950, ██████████ collection, Section 2; 8 September 1955, ██████████ Collection, Section 2; 21 October 1955, ██████████ Collection, Section 2. Please see "C3-14. Political Participation" for more detail.

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chief (May 15, 1944). After being voted in by the Tribe, [REDACTED] remained acting Chief until his father's death in 1949 at which time he was elected as chief.

Leadership roles within tribal institutions such as the Mattaponi Indian Baptist Church and Mattaponi Indian School also held meaning within the Mattaponi community, and leaders in the tribal government often acted as leaders within these institutions. For example, during this period, [REDACTED] served as Reverend of the Mattaponi Indian Baptist Church, and [REDACTED] was elected in a Tribal Meeting to serve as Superintendent of the Mattaponi Indian School.²

Table C3-1. Tribal Leaders, 1940-1959.

Date	Title	Tribal Leaders
1918 - 1949	Chief	George Forrest Custalow Sr. [REDACTED]
1949 - 1969	Chief	Otha Thomas Custalow [REDACTED]
1941 - 1944	Assistant Chief	Otha Thomas Custalow [REDACTED]
1944 - 1949	Acting Chief	Otha Thomas Custalow [REDACTED]
1949 - 1977	Assistant Chief	Daniel Webster Custalow [REDACTED]
1927 - 1959	Councilman	Solomon Dewey Custalow Jr. [REDACTED]
1922 - 1973 ca.	Councilman	William Garnett Custalow [REDACTED]
1942 - 1957	Reverend	Harvey Nathaniel Custalow [REDACTED]
1941 - 1950 ca.	Superintendent	Solomon Dewey Custalow Jr. [REDACTED]

² Tribal Meeting Minutes, 17 October 1941, "Meeting Called in Regards of School." [REDACTED] Private Collection.

³ U.S. Federal Census: Virginia, King William, West Point, 51-6. Sixteenth Census of the United States, 1940, MF T627, Records of the Bureau of the Census, National Archives and Records Administration, Washington D.C., Sheet 61a-b, PDF p. 18-19; Brenner, L. C., "The American Scene," *Lexington Herald-Leader* (Lexington, KY), February 23, 1944; Staff, "G. F. Custalow, Mattaponis' Chieftain Dies," *Richmond News Leader* (Richmond, VA), March 19, 1949; Singleton, A. L. J., "Mattaponi Indians, Due Here on Peter Jones Day, Are Proud Of Heritage," *The Progress Index* (Petersburg, VA), June 13, 1954.

⁴ Staff, "Indians Assist In Powhatan Hill Anniversary Event," *Richmond News Leader* (Richmond, VA), May 24, 1940; Staff, "Mattaponi Indians Plan Homecoming Tomorrow," *Richmond Times Dispatch* (Richmond, VA), August 23, 1941; Staff, "Mrs. Mary J. Custalow, Indian Chief's Wife, Dies," *Richmond Times Dispatch* (Richmond, VA), January 8, 1943; Staff, "Today's News in Brief," *The Arlington Daily* (Arlington, VA), November 27, 1946; Staff, "George F. Custalow, Chief Of Mattaponi Indians, Dies," *Richmond Times Dispatch* (Richmond, VA), March 19, 1949; Staff, "Troop 40's Scouts Visit As Projects," *Newport News Daily Press* (Newport, VA), January 1, 1950; Staff, "State Indian Tribes Talk Heard by DAR," *The Evening Leader* (Staunton, VA), March 7, 1951; Staff, "Home-Coming At Indian Church," *The Tidewater Review* (West Point, VA), August 21, 1952; Staff, "Custalow Speaker," *The Tidewater Review* (West Point, VA), January 8, 1953; La Lande, Allen L., "Descendants Are Neglected, He Claims," *Richmond Times Dispatch* (Richmond, VA), February 22, 1954; Staff, "Carol Anne Britton," *The Hanover County Herald* (Ashland, VA), May 26, 1955; Staff, "Indian Chief To Speak," *The Tidewater Review* (West Point, VA), January 26, 1956; Staff, "Central Methodist," *Newport News Daily Press* (Newport News, VA), May 5, 1957; Staff, "Custalow To Speak," *The Tidewater Review* (West Point, VA), March 27, 1958; Staff, "Stuarts Draft Indian Dancers to Perform Monday Night at Boy Scouts Court of Honor," *Staunton News Leader* (Staunton, VA), May 29, 1959.

⁵ U.S. Federal Census: Virginia, King William, West Point, 51-6. Sixteenth Census of the United States, 1940, MF T627, Records of the Bureau of the Census, National Archives and Records Administration, Washington D.C., Sheet 61a-b, PDF p. 18-19.

Brenner, L. C., "The American Scene," *Lexington Herald-Leader* (Lexington, KY), February 23, 1944.

⁶ Personal Communication with Lois Custalow Carter. March 12, 2024.

⁷ Virginia House of Delegates, *Resolution: House Joint Resolution No.22 Commending Chief* [REDACTED] Richmond, Virginia, 1994.

⁸ Staff, "Indian Wedding Party," *Detroit Free Press* (Detroit, MI), March 29, 1931; Deed: Mattaponi Indian Reservation and Commonwealth - Agreement. 1959, King William County Deed Book 81, King William County Court House, King William, Virginia.

⁹ Deed: Mattaponi Indian Reservation and Commonwealth - Agreement. 1959, King William County Deed Book 81, King William County Court House, King William, Virginia.

¹⁰ Staff, "Homecoming Slated at Mattaponi Church," *Richmond News Leader* (Richmond, VA), August 22, 1942; Staff, "Indian Chief to Be Given Tribal Burial," *Richmond Times Dispatch* (Richmond, VA), March 20, 1949; Staff, "Shacklefords," *The Tidewater Review* (West Point, VA), February 15, 1951; Staff, "Homecoming Set At Mattaponi Church Sunday," *Richmond News Leader* (Richmond, VA), August 22, 1957.

¹¹ Staff, "2 Indian Tribes Smoke Peace Pipe at New School," *Richmond Times Dispatch* (Richmond, VA), October 14, 1950.

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Date	Title	Tribal Leaders
1941	School Treasurer	Daniel Webster Custalow [REDACTED]
1941	Finance Secretary	Lucian Baily Allmond [REDACTED] ¹³

Conclusion

The evidence presented above demonstrates the existence of a “continuous line of entity leaders” (83.11 (c)(1)(viii)) who played key roles in the exercise of political authority under criterion 83.11 (c)(2)(i), and participated in “widespread knowledge, communication, or involvement in political processes by many of the entity’s members” (83.11 (c)(1)(iii)).

Resource Use and Allocation

During the 1940s and 1950s, the tribal government continued to oversee the allocation of land and resources on the Mattaponi Indian Reservation. This included determinations on who could hold an allotment, organization of the rental of reservation lands for cultivation, the leadership of a campaign to increase land holdings, and the protection of valued tribal resources such as fishing rights.

Reservation Allotments

From 1940 to 1959, allotments on the reservation were distributed according to tribal law and under the authority of the Chief and Council.¹⁴ In 1950, Town Meetings took place to decide on a course of action for assigning lots and transactions of sale (September 27, 1950; October 30, 1950). Because reservation lands were limited, increases in population often required the reworking of land assignments under established tribal law and within the context of tribal meetings. Such meetings also accompanied the acceptance of the purchase of personal property or improvements on the allotments (September 27, 1950).

Table C3-2. Resource Use and Allocation, 1940-1959: Reservation Allotments.

Date	Excerpt
September 27, 1950	<p>Town meeting called by request of members to sign [REDACTED] lots and to recognize transactions of purchase of personal property on said reservation by [REDACTED] the daughter of Chief [REDACTED] deceased and [REDACTED] his wife.</p> <p>2. [REDACTED] to be reinstated and pay taxes. Call for lot.</p> <p>[...]</p> <p>3. After hearing from [REDACTED] It was moved by [REDACTED] and seconded by Deal Langston [Ulyesses Grant [REDACTED] after meeting all requirements of said Reservation Laws, that the Town will sign to [REDACTED] The Lot known as Mrs. [REDACTED] Tuppence; b.1861 - d.1940] lot to build there on and occupy with his wife, [REDACTED] Unanimously voted.</p> <p>4. After many questions and discussions. It was moved by [REDACTED] and seconded by [REDACTED] that the town will sign to [REDACTED] the lot known as [REDACTED] lot</p>

¹² Tribal Meeting Minutes, 17 October 1941, [REDACTED] Private Collection.

¹³ Tribal Meeting Minutes, 17 October 1941, [REDACTED] Private Collection.

¹⁴ The fact that land was held in common was recognized by outside entities, with the 1940 census stating, “The Indians own their houses but since they are Wards of the State they of course do not own any land on Reservation.” (U.S. Federal Census: Virginia, King William, West Point, 51-6. Sixteenth Census of the United States, 1940, MF T627, Records of the Bureau of the Census, National Archives and Records Administration, Washington D.C. PDF Pages A61, B61, 18, 19).

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Date	Excerpt
	(deceased) to occupy and live thereon with her husband [redacted] whose [sic] has now purchased the dwellings thereon. Unanimously voted. ¹⁵
October 30, 1950	<p>[...] 2. Moved by [redacted] second by [redacted] Treasurer report and minutes</p> <p>3. Lot known as ½ of the lot of [redacted] facing the river on the East bound on the West side by [redacted] lot. Lot of [redacted] divided in 1946 and lot assigned to [redacted] to live and occupy with his wife [redacted]</p> <p>This ½ of the lot was assigned to Allison Grant Custalow [b.1926 – d.1999] with wife Frances Eanes Custalow.</p> <p>4. Lot assigned to [redacted] the half of [redacted] lot bordering on [redacted] lot on west side extending back to L.B. Allmond [Lucian Baily Allmond; b.1890 – d.1970] lot on North East bound on South to road leading to Red Hill and to build there and occupy with his wife [redacted] Frontage 112 feet. Carried¹⁶ [...]</p>

Regulation of Allotted Lands

In addition to the allocation of reservation lands, the Chief and Council regulated the use of tribal lands. This included oversight of the rental of allotted lands to tribal members for cultivation (May 16, 1949) and oversight and adjustment of boundaries for allotted parcels and their enclosures to provide for tribal needs, including future road works (September 27, 1950).

Table C3-3. Resource Use and Allocation, 1940-1959: Regulation of Allotted Land.

Date	Excerpt
May 16, 1949	<p>[Tribal Meeting Minutes]</p> <p>Rent Land after much discussion. A motion was made by [redacted] and seconded by [redacted] that the town will rent to [redacted] d.1982] the lot known as Mrs [redacted] lot for the sum of \$10.00 for the farming season of 1949, and the town is to buy a roll of bob [sic; barbed] wire to fence in spaces where the old fence is broken down. This wire is to be turned over to [redacted] to put up where needed, after which same becomes the property of said Mattaponi Reservation. Unanimously carried.¹⁷</p>
September 27, 1950	<p>Moving of fence line between [redacted] lot and [redacted] lot to open the [illegible] on the back lane from Red hill.</p> <p>5. Moved by [redacted] & seconded by [redacted] that the road</p>

¹⁵ Tribal Meeting Minutes, 27 September 1950, Chief [redacted] Collection, Briefcase Section 2, PDF Page 5-7.

¹⁶ Law Ledger, 30 October 1950, [redacted] Private Collection, PDF Pages 30 & 31.

¹⁷ Tribal Meeting Minutes, 16 May 1949, Chief [redacted] Collection, Briefcase Section 1, PDF Page 1.

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Date	Excerpt
	leading from red hill to his house be widened so as to have the amount of space required by state. And the same amount of land be given back to the lot of [REDACTED] from the lot known as [REDACTED] Lot. Unanimously voted.[...] ¹⁸

Conclusion

The tribal government’s continued authority to “allocate entity resources such as land, residence rights, and the like” (83.11 (c)(2)(i)(A)), is evidenced in meeting minutes from the period through the disbursement of allotments and the regulation of rented land for cultivation purposes. The campaign to increase the acreage of the reservation that was led by Chief [REDACTED] further indicates that even outside of the reservation, leaders were able to “exert strong influence on the behavior of individual members” [...] (83.11 (c)(2)(i)(C)) in the appeal to Commonwealth officials. The 1947 letter from the tribe to the Commissioner of Fisheries is indicative of the tribal government’s efforts to “settle disputes,” (83.11 (c)(2)(i)(B)), and mediate “economic subsistence activities” (83.11 (c)(2)(i)(D)) through rotating employment opportunities.

Reservation residents’ participation in town meetings and the renting of land for cultivation demonstrates the Tribe’s ability to “mobilize significant numbers of members and significant resources from its members for entity purposes,” (83.11 (c)(1)(i)), and maintain use of “land set aside by a State for the petitioner,” (83.11 (c)(1)(vii)).¹⁹ The appeal to tribal citizens for support in the land acquisition campaign further demonstrates that “many of the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance” (83.11 (c)(1)(ii)), and that “there is widespread knowledge, communication, or involvement in political processes by many of the entity’s members” (83.11 (c)(1)(iii)). Through public speaking engagements, Chief Custalow played a significant role in “representing the entity in dealing with outsiders in matters of consequence,” (83.11(c)).

Public Works and Social Services

Throughout the period from 1940 to 1959, the Mattaponi Chief and Council continued to exercise governance on the reservation, providing infrastructure and coordinating social services for tribal members. This included the maintenance and consolidation of the Mattaponi-Pamunkey Indian School, the administration of the Mattaponi Fish Hatchery, the oversight of reservation road maintenance, and the negotiation of utility services for reservation residents. The Chief and Council also worked to coordinate health programming on the reservation and advocated for the acquisition of more land.

Mattaponi and Mattaponi-Pamunkey Indian School

As in previous periods, the Mattaponi Chief and Council coordinated maintenance and oversight of the Mattaponi Indian School. Letters between Tribal leaders and the Department of Education outline the continued relationship for building upkeep (October 23, 1944). Additionally, the Chief and Council worked with the State Department of Education and leaders of the Pamunkey Indian Tribe to consolidate the schools (May 23, 1950). The Chiefs and School Superintendents from both tribes formed an advisory committee and the tribes agreed to hold a joint community meeting to assure the proposal had buy in from all involved. Ultimately, the joint school was established on the Mattaponi Indian Reservation (November 15, 1950). The Tribe’s jointly managed the school and held regular meetings to involve their respective communities in its management (September 17, 1953; February 9, 1953). The Tribe’s worked jointly to expand the

¹⁸ Tribal Meeting Minutes, 27 September 1950, Chief [REDACTED] Collection, Briefcase Section 2, PDF Page 5-7.

¹⁹ Tribal Meeting Minutes, 27 September 1950, Chief [REDACTED] Collection, Briefcase Section 2, PDF Page 5; Law Ledger, 30 October 1950, [REDACTED] Private Collection, PDF Pages 30 & 31.

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grades offered at the school,²⁰ though the State Board of Education resisted such expansion until the mid-1950s.²¹ In 1958, having successfully petitioned for the expansion of offerings, the Mattaponi Chief and Council allotted additional land to expand the school (April 18, 1958). These examples demonstrate the significant role of tribal leaders in the provision social services like the school.

Table C3-4. Public Works and Social Services, 1940-1959: Mattaponi and Mattaponi-Pamunkey Indian School.

Date	Excerpt
October 23, 1944	<p>[REDACTED]</p> <p>RFD Sweet Hall Va. Mr. Oliver</p> <p>Dear Sir, I am writing you today to let you know that your contractors have been working faithfully on the school building according to the weather [...] and they said that thought they would have it completed about 2 weeks. I hope your health has improved since I seen you last as ever your friend.</p> <p>[REDACTED]²²</p>
May 23, 1950	<p>MATTAPONI MEETING 5/23/50</p> <p>PLACE: Mattaponi Indian Reservation</p> <p>PEOPLE PRESENT: [REDACTED] Local Supt., Mrs. Sue A. Martin and G. F. Poteet.</p> <p>DISCUSSION: Consolidation of two reservations schools for the session 1950-52 at the Mattaponi School --</p> <p>[...] -- reasons for wanting to consolidate the two schools and some of the advantages accruing or hoped for--explained very thoroughly that it was to be a joint school for the two reservations, each sharing alike and feeling that it is their school--the two chiefs and two local superintendents form an advisory committee for the school to the State Board of Education.</p>

²⁰ Letter from G. Bosch to Mr. Paschall, 14 October 1952, Administrative: Craft Programs. Indian School Files, 1936-1968 (Accession 29632), State Government Records Collection, Library of Virginia, Department of Education, Richmond, Virginia, Box 1, Folder 8, PDF Page 2-3.

²¹ [...] "Before 1956, Virginia did not build a high school for Indian students living on the Pamunkey and Mattaponi Reservations because there were not enough school-aged children to justify adding new grades to the single school that served both reservations. Nevertheless, the State Board of Education made it possible for these students to complete their education after the eighth grade by attending accredited Indian high schools outside Virginia. During the 1953-54 school year, five students from both reservations attended high school outside Virginia; because of small numbers of Indian students and the state's general prejudice and indifference, these children were sent as far away as Oklahoma to be with their "own kind." However, parents of children living on the Pamunkey and Mattaponi Reservations were unhappy about having to send their children to out-of-state high schools and in 1956 asked that Virginia's Department of Education offer education beyond the eighth grade at their school. [...] In 1956-57, Virginia extended grades at the Indian reservation school through the tenth grade and added the eleventh in 1958. On June 12, 1959, with the addition of the twelfth grade, the first students on the Pamunkey-Mattaponi Reservations graduated from a Virginia high school." Haimes-Bartolf, M. D, "The Social Construction of Race and Monacan Education in Amherst County, Virginia, 1908-1965: Monacan Perspectives," Cambridge University Press 47(4), 2007, 389-415.

²² Letter from Chief [REDACTED] to Mr. Oliver, 23 October 1944, Administrative: Teaching Applications, Indian School Files, 1936-1968 (Accession 29632), State Government Records Collection, Library of Virginia, Department of Education, Richmond, Virginia, Box 1, Folder 26, PDF Page 2.

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Date	Excerpt																
	<p>██████████ expressed himself as 100% in favor of the consolidation of the two schools, and could think of no reason why it would not be agreeable and satisfactory to all concerned--he said he could visualize a much better instructional program for the children and a brighter future for all--said he was ready to do all he could to make it successful.</p> <p>Local Supt. ██████████ agreed with all the Chief said, and said that he could think of no reason why the two reservations could not cooperate & work in harmony in the consolidated school.</p> <p>[...] The Chief and Local Superintendent wanted to know what the next step was in the plan --it was explained that next step was to have a joint meeting of the leaders of 2 tribes, patrons of both schools and all other interested members of tribe at the Mattaponi School early in June for a full discussion of the consolidation, and to make final arrangements for it if plan is agreeable. All were in favor of this step.²³</p>																
June 1, 1950	<p>JOINT MEETING OF MATTAPONI AND PAMUNKEY TRIBES</p> <p>6/1/1950</p> <p>PLACE: Mattaponi School</p> <p>PEOPLE PRESENT: 17 members of both tribes, and members of State Department of Education.</p> <p>DISCUSSION: A thorough discussion of the plans for consolidating the two reservation schools which had been previously explained and discussed in separate meeting with each tribe, and following this discussion, those present voted unanimously for the following:</p> <ol style="list-style-type: none"> 1. Joint school to be located on Mattaponi Reservation. 2. The name of the joint school to be Mattaponi-Pamunkey Indian Reservations School. 3. The Advisory Committee for the operation of the joint school to be made up of the Chief and local superintendent of each reservation and a representative of the State Department of Education with power to set up local regulations within the framework of State laws and State Board of Education regulations for the operation of the joint school.²⁴ 																
November 15, 1950	<p>After years of palaver, the Commonwealth has persuaded the Pamunkey and Mattaponi tribes to send their children to a consolidated school.</p> <p>The school, the only one in the State controlled directly by the State Board of Education, is operating for the first time this session at the Mattaponi reservation off Route 30 in King William County.²⁵</p>																
1951	<p>II. Expenditures:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Date</u></th> <th style="text-align: left;"><u>Company</u></th> <th style="text-align: left;"><u>Item</u></th> <th style="text-align: right;"><u>Amount</u></th> </tr> </thead> <tbody> <tr> <td>10/8/51</td> <td>██████████</td> <td>Installation of playground equipment</td> <td style="text-align: right;">145.40</td> </tr> <tr> <td>2/9/52</td> <td>██████████</td> <td>Repairs</td> <td style="text-align: right;">2.85</td> </tr> <tr> <td>3/5/52</td> <td>██████████</td> <td>Repairs</td> <td style="text-align: right;">2.85</td> </tr> </tbody> </table>	<u>Date</u>	<u>Company</u>	<u>Item</u>	<u>Amount</u>	10/8/51	██████████	Installation of playground equipment	145.40	2/9/52	██████████	Repairs	2.85	3/5/52	██████████	Repairs	2.85
<u>Date</u>	<u>Company</u>	<u>Item</u>	<u>Amount</u>														
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2/9/52	██████████	Repairs	2.85														
3/5/52	██████████	Repairs	2.85														

²³ Governor Stanley to Senator H. Byrd, 20 November 1957, Administrative: Memos. Indian School Files, 1936-1968 (Accession 29632), State Government Records Collection, Library of Virginia, Department of Education, Richmond, Virginia, Box 1, Folder 17, PDF Page 4.

²⁴ "Joint Meeting of Mattaponi and Pamunkey Tribes," 1 June 1950, Administrative: Memos. Indian School Files, 1936-1968 (Accession 29632), State Government Records Collection, Library of Virginia, Department of Education, Richmond, Virginia, Box 1, Folder 17, PDF Page 6.

²⁵ Staff, "Aunt Mary's Letter Box," *The Covington Virginian* (Covington, VA), November 15, 1950.

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Date	Excerpt
	6/9/52 [REDACTED] Repairs 56.67 ²⁶
September 17, 1953	<p>[REDACTED]</p> <p>Mattaponi Indian Reservation Sweet Hall, Virginia</p> <p>Dear [REDACTED]</p> <p>This is in confirmation of our discussion yesterday in regard to a visit by members of the State Department of Education on Tuesday, September 22 to the reservations and the School.</p> <p>We plan to arrive at your home at 2:00 P. M. on Tuesday for a visit with you and the members of your reservation. It would be appreciated if you would have as many members of the reservation present as possible to discuss informally common problems of the reservation and school.</p> <p>Following the meeting with you and the members of the reservation, we will go to the school for a short visit and meeting. Representatives of the Pamunkey Reservation will be present for the school visit and meeting.</p> <p>I think this can be a very important day for the reservation if a large number of the members of the reservation will arrange to be present for the 2:00 o'clock meeting. Looking forward to seeing you on the 22nd, I am</p> <p>Sincerely yours, G.F. Poteet, Assistant Supervisor of Secondary Education ²⁷</p>
February 9, 1953	<p>[REDACTED]</p> <p>MATTAPONI INDIAN RES. SWEET HALL, VA.</p> <p>Dear Sir,</p> <p>Your letter of Dec 29/52 was dully [sic] resolved content noted after talking to my people about same. I called a special Tribal meeting on Jan 22/53 had all the Braves and Squaws present that was interested in some after reading your letter and a full discussion was decided unanimously to accept the project offered. We want to thank you and others for your considering in helping us this is the beginning of a movement to help keep my young people satisfied to stay on the reservation, happy to say to you.²⁸ [...]</p>
April 18, 1958	<p>[REDACTED]</p> <p>Mattaponi Indian Reservation Route 1 West Point, Virginia</p>

²⁶ "Report of Indian Education Fund 1951-1952," Administrative: Budget and Financial Reports, Indian School Files, 1936-1968 (Accession 29632), State Government Records Collection, Library of Virginia, Department of Education, Richmond, Virginia, Box 1, Folder 4, PDF Page 7.

²⁷ Letter from G. Poteet to Chief [REDACTED], 17 September 1953. Administrative: General Corr. Indian School Files, 1936-1968 (Accession 29632), State Government Records Collection, Library of Virginia, Department of Education, Richmond, Virginia, Box 1, Folder 15, PDF Page 25.

²⁸ Letter from Chief [REDACTED] to G. Bosch, 9 February 1953. Administrative: Craft Programs. Indian School Files, 1936-1968 (Accession 29632), State Government Records Collection, Library of Virginia, Department of Education, Richmond, Virginia, Box 1, Folder 8, PDF Page 10.

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Date	Excerpt
	<p>Dear [REDACTED]</p> <p>This letter is in confirmation of our discussion this morning in reference to the school lot and the tentative plans for a proposed addition to the present school building.</p> <p>Since there is apparently no written record that the present school lot has been designated for school purposes by the Council, we should have such written record as a part of the final plans. Therefore, we will prepare a plot plan from the information we got this morning, and will submit it to you and the Council for approval in a few days.</p> <p>The proposed addition will provide better educational opportunities for the children living on the two recognized Indian reservations. It will include another large classroom, indoor toilets and a central heating system if funds can be found for its construction.</p> <p>With best wishes, I am</p> <p>Sincerely yours,</p> <p>G.F Poteet Assistant Supervisor of Secondary Education [...]</p> <p>The plot of land as shown on the attached map has been designated as the school lot by the Council of the Mattaponi Indian Tribe as long as a school is in operation on the Mattaponi Indian Reservation for the Tribal Indians. The said plot map will become a part of the record of the said Council and the State Board of Education.</p> <p>Witness: Gerald L. Quirk Signed: [REDACTED] Chief of Mattaponi Indian Tribe ²⁹</p>

Mattaponi Hatchery

After allocating land and resources to develop the fish hatchery in the late 1930s, the Chief and Council continued to provide oversight and to interface with Virginia authorities to ensure its operation. The hatchery was a central way that the tribal government sought to safeguard the resources and livelihood of the Tribe between 1940 and 1959. During this period, the Chief and Council renewed the lease for the hatchery (March 27, 1944) and sought to mediate tensions surrounding the hiring decisions of the Commission of Fisheries (March 14, 1947).

Table C3-5. Resource Use and Allocation, 1940-1959: Mediating Livelihood Strategies.

Date	Excerpt
March 27, 1944	<p>[...] Dear [REDACTED]</p> <p>Replying to yours of the 16th instant, in reference to the five (5) year lease covering the hatchery site expiring last year and a new lease would to be drawn up for the present year, will say that this will not be necessary as I understand from the office that if no notice is given by either party prior to the first day of January, the present lease automatically renews itself for another year. [...]</p>

²⁹ Letter from G. Poteet to Chief [REDACTED] 18 April 1958, Administrative Files: Building Agreements, Indian School Files, 1936-1968 (Accession 29632), State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 1, Folder 5, PDF Page 2 and 5.

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Date	Excerpt
	Trusting that the above meeting with your approval and hoping that we will have a good season this year for the hatching work. ³⁰ [...]
March 14, 1947	<p>[Letter included in Tribal Meeting Minutes]</p> <p>To The Commissioner of Fisheries Richmond, Virginia</p> <p>For the consideration, and in the interest of the Mattaponi Indians living on said Reservation, a Fish Hatchery was put here by the Stae [<i>sic</i>] under the supervision of the Commissioner of Fisheries, Mr. W.G. Mapp. The State rented a building from [REDACTED] in which to operate the Hatchery, for the benefit of and to help said Indians.</p> <p>The State now wishes to enter into an agreement with said Indians to build a house on said Reservation Shore in which to operate the Hatchery.</p> <p>The voice of the people are protesting, and further states that is it unfair to the Mattaponi Indians as a whole for the State to employ one Indian in a lifetime job when there are other Indians who are capable of doing the job just as well. This is not the spirit in which the Hatchery was put here in.</p> <p>It is the desire of the people that every man who is eligible shall have a chance to operate the Hatchery for a period of not more than two of three years at any odd time. In so doing, it will bring about a good spirit among the Indians, and a unity of co-operation in supporting the work of the Hatchery.</p> <p>It is further understood that the building shall become the property of the said Mattaponi Reservation when the State has ceased to operate the Hatchery.</p> <p>We, the Mattaponi Indians, as a whole, do not believe that the State and Commissioner of Fishers wish to be unfair to all other Indians who are much in need, and eligible and capable of doing the job satisfactorily.</p> <p>In recognition of our Tribal Government, ruled under Chief and Counsel, making its own laws governing said Indians, we wish to maintain a fair government that truly can be called a Government of Democracy.</p> <p>The time fixed to put in Rotating System and change operators is fixed for the year 1948. Since there are no rental charges fixed, we trust that in fairness to both governments, the State and the Reservation, that you will fix a reasonable sum which will help maintain our government for the use of operating Hatchery on said Reservation.</p> <p>This will be greatly appreciated.</p> <p>Submitted by Mattaponi Indians.³¹</p>

Utility Provision

A main concern of the tribal government during this time was access to electricity for residents and the condition of said utility services. During this period, tribal leaders unanimously voted to grant the Virginia Electric and Power Company a right of way “for the benefit of said Mattaponi Indians” (ca. 1949). The

³⁰ Letter from J.T. Meyer, Inspector and Supt. of Hatcheries to Chief [REDACTED] 27 March 1944, Chief [REDACTED] Collection, Section 1, PDF Page 1.

³¹ Tribal Correspondence, 14 March 1947, Included in Tribal Meeting Minutes from 16 May 1949, Chief [REDACTED] Collection, Brief Case Section 1, PDF Page 3.

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granting of the right-of-way was for the electric company to “construct, operate and maintain a pole line” (April 20, 1949). The provision of this utility service would, however, stymie an agreement with the state to maintain the reservation roads for the next decade, as such maintenance would require that the poles be relocated.

Table C3-6. Public Works and Social Services, 1940-1959: Utility Provision.

Date	Excerpt									
1949 ca.	<p>MEETING CALLED BY POSTED NOTICE</p> <p>The Chief and Council met at the school house on Friday 1949, at 7:30 p.m., to approve and grant the Virginia Electric and Power Company, the right-of-way to run their line on the said Mattaponi Reservation, for the benefit of said Mattaponi Indians. The meeting opened with song and prayer by [REDACTED]</p> <p>[REDACTED] Second, Roll Call. Those present at the meeting were:</p> <table style="margin-left: 40px;"> <tr> <td style="border: 1px solid black; width: 100px; height: 40px;"></td> <td style="border: 1px solid black; width: 100px; height: 40px;"></td> <td style="padding-left: 10px;">} Signatures</td> </tr> <tr> <td></td> <td></td> <td style="padding-left: 10px;">} not present</td> </tr> <tr> <td></td> <td></td> <td style="padding-left: 10px;">} at roll call</td> </tr> </table> <p>[REDACTED]</p> <p>The opening discussion was let by [REDACTED] and followed with several other members, after which a motion was called for by the Chairman. It was moved by [REDACTED] and seconded ny [<i>sic</i>; by] [REDACTED] that the Chief and members doing business for said Mattaponi Indian Reservation do approve and authorize our [REDACTED] to sign the right-of-way for the Virginia Electric and Power Company to run their line on said Reservation for the benefit of said Mattaponi Indians.</p> <p>There were no questions and when voted upon, it was unanimously agreeable. There was no further business so it was moved by [REDACTED] and seconded by [REDACTED] hat we adjourn until the next called meeting.</p> <p>Unanimously agreed. [REDACTED] Chief.³²</p>			} Signatures			} not present			} at roll call
		} Signatures								
		} not present								
		} at roll call								
April 20, 1949	<p>KNOW ALL MEN BY THESE PRESENTS that</p> <p>[REDACTED] Chief, [REDACTED]</p> <p>[REDACTED] and [REDACTED]</p> <p>[REDACTED] all the members of the Council at the present time of the Mattaponi Indian Reservation Grantors in the consideration of One Dollar (\$1.00), receipt whereof is acknowledged, grant to Virginia Electric and Power Company, a Virginia Corporation, its successors and assigns, hereinafter called Company, the right to construct, operate and maintain a pole line [...]</p> <p>A tract of land with residence thereon, containing approx. 130 acres located at end of Mattaponi Road, Rt. No. 625, and adjoining the property of [REDACTED]</p>									

³² Notes from Chief [REDACTED] reporting the meeting minutes, Deed: Mattaponi Indian Reservation and Va Power- Agreement, 1949, King William County Deed Book 68, King William County Court House, King William, Virginia.

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Date	Excerpt
	<p>██████████ Estate in West Point Magisterial District, King William County, Virginia</p> <p>[...]</p> <p>Witness the following signatures and seals this 20th day of April, 1949 By Mattaponi Indian Res.</p> <p>██████████ (Seal) ██████████ (Seal) ██████████ (Seal) ██████████ His X Mark (Seal)</p> <p>State of Virginia County of King William.³³</p>

Road Maintenance

As in previous periods, the tribal government took responsibility for the upkeep and maintenance of reservation roads. From 1940 to 1959, the Chief and Council sought the support of the state in paving and maintaining the roads, an effort that they tied to economic development.³⁴ In a 1949 tribal meeting, the tribal government agreed to grant a thirty-foot right of way to the State Highway Department:

██████████ brought to the attention of the tribe that he had been to see the highway officials in regard to taking over the ½ mile of road around the Reservation. In question, the state wanted to know if they took over the road if the Reservation would grant them a thirty foot highway. After a discussion a motion was called for, moved by ██████████ and seconded by ██████████ that the Reservation would grant the request of the state highway giving them the thirty foot right of way on said Mattaponi Reservation. This motion was unanimously carried.³⁵

At the same time, Chief Custalow sought support from the larger Virginia community, using speaking engagements to appeal to concerned citizens and inspiring them to write the Commonwealth and newspapers to encourage the state to provide additional road maintenance (e.g. April 3, 1949; February 22, 1954) and broaching the issue at the Annual Tax Tribute (November 23, 1949). The roads were such an issue that state agencies such as the Board of Education were also forced to intervene on the Tribe's behalf (February 9, 1954). Ultimately the Tribe succeeded in pressuring the General Assembly to pass a bill authorizing "the duly constituted authorities of the Mattaponi tribe to grant an easement to the State of Virginia so that they might have a road" (March 1, 1956). However, the issue of the utility poles, which were pursued at the same time as the transition to state maintenance of the Reservation Roads, proved a persistent barrier to the effort (November 20, 1957).

Table C3-7. Public Works and Social Services, 1940-1959: Support for the Reservation Road.

Date	Excerpt
April 3, 1949	<p>The recent death of George S. Custalow ██████████ ██████████ chief of the Mattaponi Indians, brought to public attention a project in which he was interested, namely to induce State authorities to build good roads to the reservations.</p>

³³ Deed: Mattaponi Indian Reservation and Va Power- Agreement: 1949, King William County Deed Book 68, King William County Court House, King William, Virginia.

³⁴ Specifically, through the selling of "beads, crockery and goose callers" to tourists (Shires, Carl, "White Man Wants to Help Indian Brother," *Richmond News Leader* (Richmond, Virginia) January 24, 1956.)

³⁵ Tribal Meeting Minutes, 16 May 1949, Chief ██████████ Collection, Section 1, PDF Page 1.

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Date	Excerpt
	With such roads and with the exhibits of relics capably managed and displayed, Virginia's reservations might add considerably to the attractions she has to offer tourists. [...] ³⁶
November 23, 1949	<p>[...] Custalow [REDACTED] brought up an up-to-date complaint. He said something must be done about the ruts in the dirt road leading to the Mattaponi Reservation near King William Courthouse. Too many cars get stuck in the mud when it rains.</p> <p>A spokesman who accepted the deer for Governor William Tuck said he would speak to the Governor about the matter. [...] ³⁷</p>
December 5, 1953	<p>Editor, The News Leader:</p> <p>I recently had the pleasure of visiting the Mattaponi Indian Reservation in the company of Cub Scouts and Brownies who wanted to learn about Indians. To me this trip was very worthwhile inasmuch as it opened my eyes to the neglect of the Indian by the "White Man."</p> <p>[...] Upon talking to Chief Custalow [REDACTED] of the Mattaponi tribe I find out that all this tribe is asking for is the improvement of just one half mile of the roads inside the reservation which are the main roads or streets, not the private ones to the houses. These are the same roads that two government vehicles operate on every weekday, the school bus to the school which is run by the State and a truck of the Department of Game and Inland Fisheries in connection with the State Hatchery on the reservation. I was told that both the State and the county refused to fix the road and that one of the reasons given was that the Mattaponis did not pay taxes. Maybe, they do not pay real estate tax but they are still subject to income and gasoline tax just like everybody else. Should not the hundreds of visitors who are paying gasoline tax be given some consideration so they will not have to dodge the big holes in the road which have been filled with bricks? [...] ³⁸</p>
February 9, 1954	<p>SUBJECT: Roads on State Indian Reservations</p> <p>It has been brought to our attention that the roads on the two State Indian Reservations are in almost an impassable condition. The teacher, who transports the Pamunkey pupils to the Indian School located on the Mattaponi Reservation, reports that she has been unable to drive to the school for almost two months due to the condition of the road on the reservation. She and the children must leave the car where the State maintenance ends at the reservation and walk to the school.</p> <p>The State Highway Department through King William County Board of Supervisors maintains the roads to the two reservations in very good condition, but do not maintain the roads on the reservations. There is a sign at the beginning of each reservation stating: "State Maintenance Ends."</p> <p>It is our understanding that the Board of Supervisors of King William County will not maintain the roads on the reservations because they are not a part of the county, and do not pay any county taxes. Thus, it appears to us that nothing will be done to improve the road conditions on the reservations by the county authorities.</p> <p>In view of the facts that the roads on the reservations are in practically impassable conditions, and that they are not regarded as a party of the county; that the Indians pay gas</p>

³⁶ Bray, Rose Altizer, "Tidewater Was Once Indians' Paradise," *Richmond Times Dispatch* (Richmond, VA), April 3, 1949.

³⁷ Staff, "Annual Indian Tribute Is Presented to Gov. Tuck," *The Daily Review* (Clifton Forge, VA), November 23, 1949.

³⁸ White, G. H., "Urges Road Aid to Mattaponis," *Richmond News Leader* (Richmond, VA), December 5, 1953.

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	tax and buy license plates for their motor vehicles, and that the reservations are State reservations, we recommend that some special provision be made at the State level to take over the roads on the two State reservations and maintain them. ³⁹
March 1, 1956	<p>[...] The first bill introduced by Gregory to the House of Delegates is the Mattaponi Bill, which has passed and received Governor Stanley's signature. The bill authorizes the duly constituted authorities of the Mattaponi tribe to grant an easement to the State of Virginia so that they might have a road.</p> <p>In explanation Gregory said that the Indian tribe holds land in accordance with a treaty with the Colony of Virginia and are wards of the State. They do not have the right to give away any of their land and the State doesn't have the right to take it away; therefore, the only method is through special legislation. This is the first piece of legislation for the Mattaponis since about 1890, the delegate said. [...]⁴⁰</p>
February 22, 1954	<p>[...] Last Sunday I had the pleasure of visiting the Pamunkey and Mattaponi Reservations and was a guest in the humble home of [REDACTED] of the Mattaponis. It is indeed pathetic to see what the white man has done to these first Americans. We have completely forgotten them. The roads on the reservation cannot even be classed as roads. They are nothing more than miserable dirt lanes which become impassable during inclement weather and in the Winter, yet the State of Virginia has vehicles in daily use on these poor roads, and still refuses to maintain them.</p> <p>Incidentally, the Indian pays the same gasoline tax as you and I, on or off the reservation, and he would also be subjected to the additional penny per gallon which Governor Stanley proposes. Shouldn't he enjoy good roads also?</p> <p>In addition to this, the Federal Government now wants to erect an observation tower, for civilian defense, on the Mat-taponi Reservation, and again call upon the Indian to do his bit for his country and fellow Americans by whom he has been forsaken.⁴¹</p>
November 13, 1957	<p>[...] He has no road on his Reservation. It is a chuckhole pathway and certainly prevents visitors and tourists from having a proper roadway to get to his main attraction, the Museum. [REDACTED] told me that the State has offered to build him a road and he wants it but that the Power Company has refused to move the power poles out of the way so that work can proceed. Thus far neither the State nor the Power Company have resolved this hitch.</p> <p>I feel that someone in authority should immediately find a solution to this problem. I am sure that you are interested in preserving and helping to make self-sufficient this tribe, the descendants of Pocahontas, and will see that [REDACTED] gets his road at an early date.⁴² [...]</p>
November 20, 1957	[...] I have your letter of November thirteenth relative to the need of the Mattaponi Indian Reservation for a road.

³⁹ Memo from W. Wilkerson to D. Howard, 9 February 1954, Administrative: Memos. Indian School Files, 1936-1968 (Accession 29632), State Government Records Collection, Library of Virginia, Department of Education, Richmond, Virginia, Box 1, Folder 17, PDF Page 25.

⁴⁰ Staff, "C. Gregory Introduces Seven Bills," *The Hanover County Herald Progress* (Ashland, VA), March 1, 1956. See Also: Shires, Carl, "White Man Wants to Help Indian Brother," *Richmond News Leader* (Richmond, VA), January 24, 1956.

⁴¹ La Lande, Allen L., "Descendants Are Neglected, He Claims," *Richmond Times Dispatch* (Richmond, VA), February 22, 1954.

⁴² Letter from H. Braswell, Jr. to Governor Stanley, 13 November 1957, Governor Stanley, Thomas B. Executive Papers, Accession 25184, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 81, Folder 11, PDF Page 5 and 7.

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	<p>For your information, the General Assembly authorized the construction of a road on this Reservation. It was found, however, that the Power Company has a recorded prior easement for power poles which takes precedent over any easement the [REDACTED] might grant the State for a road. The power company is willing to move the poles but feels that in view of its prior easement, it should not have to bear the cost of moving the poles. Unfortunately, the Act made no provision for furnishing a right-of-way and the tribe is unable to pay the cost of moving the poles. [...]⁴³</p>

Ultimately the Tribe prevailed, and personal communication with tribal leaders indicates the Tribe did not bear the cost of moving the poles to enable the state's road maintenance easement.⁴⁴ The Tribe entered an agreement with the Virginia Department of Highways to provide an easement onto the Reservation in 1959.

Table C3-8. Public Works and Social Services, 1940-1959: Department of Highways Easement.

Date	Excerpt
July 10, 1959	<p>THIS AGREEMENT. Made this 10th day of July, 1959, by and between the Mattaponi Indian Reservation, acting by and through [REDACTED] its Chief, and [REDACTED] and [REDACTED] constituting the Council of said Reservation, Everett Edwards, Thomas T. H. Hill, William T. Muse, W. S. Timberlake, and C. T. Neale, Jr., Trustees of the Mattaponi Indian Reservation, Grantors, and the Commonwealth of Virginia, acting by and through its Department of Highways, Grantee;</p> <p>WITNESSETH: That, Whereas, it is proposed by the Commonwealth to widen or otherwise improve State Highway Route 625, Project 1350-20, in King William County, Virginia, and an easement over and across the lands of the Mattaponi Indian Reservation in King William County, Virginia, is required to effect said widening and improvement; and,</p> <p>WHEREAS, conveyance of such an easement was authorized by the Tribal Council of the Mattaponi Indian Reservation at a duly called meeting of same held on the 16th day of May, 1949, and the Trustees of said Reservation approve same.</p> <p>NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid to the Grantors, and for other good and valuable consideration, receipt of which is hereby acknowledged the said Grantors do hereby grant, release, remise and quit claim unto the Grantee a perpetual right and easement for road and highway purposes, only, over and across the lands of the Mattaponi Indian Reservation in King William County, Virginia, the land over which said easement is hereby granted being described as follows: [...]</p> <p>WITNESS the following signatures and seals. Mattaponi Indian Reservation By [REDACTED]</p>

⁴³ Letter from Governor Stanley to H. Braswell, 20 November 1957. Governor Stanley, Thomas B. Executive Papers, Accession 25184, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 81, Folder 11, PDF Page 3.

⁴⁴ It is clear that the Tribe did not pay for moving the poles. Assistant Chief [REDACTED] believes that the Virginia Electric and Power Company bore the cost following negotiations with the Virginia Department of Transportation though it is possible that VDOT also contributed funds (Personal Communication, Assistant Chief [REDACTED] October 12, 2024).

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Date	Excerpt
	<p>[REDACTED] [REDACTED] Constituting the Council of the Mattaponi Indian Reservation [REDACTED]</p> <p>Everett Edwards (Trustee) Constituting the Trustees of the Mattaponi Indian Reservation W. S. Timberlake (Trustee) Thomas T. H. Hill (Trustee) C.T. Neale, Jr (Trustee) William T. Muse (Trustee) [...] "I, Gerald B. Saunders, a notary public in and for the State of Virginia at Large, do certify that [REDACTED] as Chief of the Mattaponi Indian Reservation, [REDACTED] and [REDACTED] as members of the Council of the Mattaponi Indian Reservation, whose names are signed to the foregoing writing, bearing date on the 10th day of July, 1959, have each acknowledged the same before me in the County aforesaid, in the State of Virginia. My commission expires on the 3rd day of Sept., 1962."⁴⁵ [...]</p>

Health Services

The Mattaponi Chief and Council also worked to provide health services during this period. The Tribe negotiated with state officials from the State Bureau of Dental Health for the provision of a mobile dental clinic on the reservation. The provision of medical services for residents is, like the provision of utilities and road maintenance, indicative of the governing body's ability to provide public works and social services in coordination with outside governmental entities. Chief O.T. Custalow mediated correspondence between these departments and ensured payment for tribal citizens who helped to provide utilities for the mobile dentistry trailer (July 1953).

Table C3-9. Public Works and Social Services, 1940-1959: Health Services.

Date	Excerpt
July 1953	<p>[...] bill for Electrical services rendered mobile dentistry trailer unit July 1952 amt \$8.00 supervised by Dr. Smithey (Dentist) dental services rendered Mattaponi & Pamunkey</p> <p>Electrical services rendered by [REDACTED]</p> <p>[...] Sweet Hall Va July 20/53</p> <p>Dear Sir,</p> <p>I am enclosing a bill for Electrictly [sic: electricity] used by Denistry [sic: dentistry] Mobile Trailer. Set in Mr. [REDACTED] yard in 1952 for dinestry [sic: dentistry] service rendered to the Mattaponi and Pamunkey Indian School. This bill has just been presented to me and the Supt [REDACTED]</p>

⁴⁵ Deed: Mattaponi Indian Reservation and Commonwealth – Agreement, 1959, King William County Deed Book 81, King William County Court House, King William, Virginia.

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Date	Excerpt
	<p>The trailer was set their [sic] rather than at school for the convenience of running water.</p> <p>Do hope to drop by to see you soon. Many thanks for your past favors and interest [sic] in behalf of the Mattaponi and Pamunkey school and Reservations</p> <p>your Respt [REDACTED] ⁴⁶</p>
Ca. 1954	<p>[...] 2. In summer of 1952, a dental clinic was operated through the State Bureau of Dental Health for correction and treatment of the teeth of all children on both reservations.⁴⁷ [...]</p>

Land Acquisition

Land is a significant resource for the Mattaponi Indian Tribe, especially given the centrality of farming, hunting, and fishing to tribal livelihood strategies. In the 20th century, the tribal government recognized the need to accommodate the growing tribal community through increased land holdings. In 1955, a town meeting was called to determine interest in a proposed plan to increase reservation acreage through campaign efforts led by [REDACTED]. During the meeting, some tribal citizens expressed concern over the loss of private land holdings in which [REDACTED] informed them they would be compensated (September 8, 1955).

Table C3-10. Public Works and Social Service, 1940-1959: Land Acquisition.

Date	Excerpt
September 8, 1955	<p>To whom it may concern --</p> <p>Thus was a called meeting of the Mattaponi Indians of the 8th day of Sept. 1955 with Everett Edwards, a trustee, as chairman, who called the meeting to order.</p> <p>After the invocation, the business in hand came up for discussion.</p> <p>The object of said meeting was to find out how the individual members of the tribe felt about the proposed plan to add more acreage to the reservation, and to stimulate interest in the project.</p> <p>A representative number of the tribe was present and expressed themselves as favoring the plan, since it would encourage more of the young members to remain on the reservation, which would have a tendency to keep the tribe intact and alive through the years.</p> <p>There were a few who owned taxable land a joining [sic; adjoining] the reservation who feared that if their land was included in the proposed acreage it would eventually cause them some loss. However the Chief pointed out that the land would come to the reservation and they would be paid for it as well.</p> <p>He also stated that he was willing for his land to be included in any additional land that might be acquired since it would be for the good of the reservation.</p>

⁴⁶ Letter and Bill from Chief [REDACTED] to G. Bosch, 20 July 1953, Administrative: Budget and Financial Reports, Indian School Files, 1936-1968 (Accession 29632), State Government Records Collection, Library of Virginia, Department of Education, Richmond, Virginia, Box 1, Folder 4, PDF Page 16-17.

⁴⁷ Information Sheet about Mattaponi Reservation School, Administrative: Memos, Indian School Files, 1936-1968 (Accession 29632), State Government Records Collection, Library of Virginia, Department of Education, Richmond, Virginia, Box 1, Folder 17, PDF Page 27.

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Date	Excerpt
	<p>All letters bearing on the matter were read, including one or more from the Governor of Virginia, who seemed very much interested in helping, both the Mattaponis as well as the Pamunkies.</p> <p>It was conceded that this is an opportunity they should grasp in order to keep the Mattaponi Indians intact or face extinction in the not too distant future as a tribe.</p> <p>Signed Everett Edwards, Chairman and secretary for the meeting.</p> <p>Signed [REDACTED] Chief, Mattaponi Indians.⁴⁸</p>

Coincident with these internal deliberations, Chief Custalow pursued a public relations strategy that put the issue in front of the Governor. Using speaking engagements with outside organizations and churches, he encouraged Virginia citizens to write to the Governor supporting the cause for additional land. Many of the letters supporting the Tribe's request have survived in the Virginia governor's papers and the private collections of tribal leaders.

Table C3-11. Public Works and Social Service, 1940-1959: Land Acquisition Campaign.

Date	Excerpt
November 14, 1955	<p>[...] Having heard a talk by Chief Custalow [REDACTED] of the Mattaponi Indian Tribe at Sweet Hall, Virginia, I have become extremely interested in their welfare and am pleased to know that you are considering legislation to increase the acreage of their reservation.⁴⁹ [...]</p>
November 16, 1955	<p>[...] In this day and age, when so much thought and action is being taken to alleviate conditions of distressed persons in various parts of the world it would seem appropriate to consider the plight of our Indians, who first occupied this land.</p> <p>We are informed, that because of the small of acreage allotment for the Reservation of the Mattaponi Tribe, it is insufficient for self-sustenance and dwelling quarters.⁵⁰ [...]</p>
November 29, 1955	<p>[...] While on a visit to the Mattaponi Reservation this past summer we observed their pressing need for immediate help. On November 13, 1955, at a regular meeting of the Old Cannon Ball Society, the Tribal Chieftain, [REDACTED] explained to the membership and guests the present circumstances of his tribesmen and their lack of sufficient acreage needed to maintain the self-support of his people. We urge you, as leader of our Commonwealth, to help these people increase the size of their Reservation in order to attain a better existence.⁵¹ [...]</p>
December 8, 1955	<p>[...] In a study of the Indian Americans in our Methodist Church some of us visited the Mattaponi Reservation. In comparing their circumstances with those of other tribes which are federal rather than state wards, and in considering what they feel to be their specific needs, we respectfully beg that you will consider their plea for extension of their reservation area.</p>

⁴⁸ Town Meeting Notes, 8 September 1955, Chief [REDACTED] Collection, Section 2, PDF Page 1.

⁴⁹ Letter from A. Hitchings to Governor Stanley, 14 November 1955, Governor Stanley, Thomas B., Executive Papers, Accession 25184, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 81, Folder 11. PDF Page 22-23. See also: PDF Page 25.

⁵⁰ Letter from K. Jarvis to Governor Stanley, 16 November 1955, Governor Stanley, Thomas B., Executive Papers, Accession 25184, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 81, Folder 11. PDF Page 20.

⁵¹ Letter from F. Jordan to Governor Stanley, 16 November 1955, Governor Stanley, Thomas B., Executive Papers, Accession 25184, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 81, Folder 11. PDF Page 18.

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Date	Excerpt
	In this time when so many groups are seeking to break down all racial and cultural lines it is refreshing to find one group which seeks to preserve in so far as possible their distinctive racial heritage. ⁵² [...]
January 10, 1956	[...] In the late fall. [REDACTED] spoke in our church. A very fine sermon. In his talk he spoke how the white race had come into their Reservation and taken their land, until they hardly had enough land to live on, and support their people. Is there any way you can help these people. The land was given them by our government. Now why allow them to be cheated of what rightfully belongs to them. The Reservation is Mattaponi Indian Reservation in our own state. If there is any thing you can do for these people I trust you will do it. He begged us to write to you for help in their behalf. ⁵³ [...]
March 14, 1956	[...] I think it is a good thing to have the roads improved for or on the Mattaponi Reservation. Also I am in favor of giving them more land for their young people to settle as they are becoming too crowded also some kind of industry placed there would give them a means of a better livelihood. Please use all of your influence to give these Indians this needed help. ⁵⁴ [...]

Conclusion

The provision of public works and social services through the school, the hatchery, the provision of utilities, road maintenance, health services, and land acquisition clearly demonstrate the political authority of the Mattaponi tribal government at this time. The participation in planning of the Mattaponi-Pamunkey Indian School by parents and school children shows the Chief and Council's ability to "mobilize significant numbers of members and significant resources from its members for entity purposes," (83.11 (c)(1)(i)). Such participation further demonstrates that "many of the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance," (83.11 (c)(1)(ii)) and indicates a "widespread knowledge, communication, or involvement in political processes by many of the entity's members." (83.11 (c)(1)(iii)). The combined efforts of Pamunkey and Mattaponi leaders with regards to the school demonstrates a Federally Recognized Tribe's "significant relationship with the leaders or the governing body of the petitioner" (83.11(c)(1)(vi)). The continuation of school services for children on the reservation and the provision of utilities and public works demonstrate the active use of "land set aside by a State for the petitioner" (83.11 (c)(1)(vii)).

Additionally, the consolidation of the school and the granting of a right-of-way for utility purposes are indicative of the Chief and Council's ability to "allocate entity resources such as land, residence rights, and the like" (83.11 (c)(2)(i)(A)). The mediation of concerns over the hiring practices of the Commission of Fisheries at the hatchery show the ability to "settle disputes between members" (83.11 (c)(2)(i)(B)). The tribal government's leadership on both the School and the Hatchery demonstrate its ability to exert "strong influence on the behavior of individual members, such as the establishment or maintenance of norms" (83.11 (c)(2)(i)(C)). The use of utilities such as electricity for the running of dentistry services also shows

⁵² Letter from M. DiTolvo to Governor Stanley, 29 November 1955, Governor Stanley, Thomas B., Executive Papers, Accession 25184, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 81, Folder 11. PDF Page 16.

⁵³ Letter from P. Coggeshall to Governor Stanley, 10 January 1956, Governor Stanley, Thomas B., Executive Papers, Accession 25184, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 81, Folder 11. PDF Page 14.

⁵⁴ Letter from J. E. Tucker to Governor Stanley, 14 March 1956, Governor Stanley, Thomas B., Executive Papers, Accession 25184, State Government Records Collection, Library of Virginia, Richmond, Virginia, PDF Page 12.

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the Tribe’s organization or influence of “economic subsistence activities,” (83.11 (c)(2)(i)(D)). The evidence outlined above supports the tribal government’s authority to oversee and maintain public works and social services on the reservation throughout this period.

Maintaining Social Order

The Chief and Council continued to apply the laws over the reservation during the 1940s and 1950s. This can be seen by the application of tribal law in terms of allotments as well as the tribal government’s mediation of easements and central role in important tribal institutions such as the school and the hatchery (discussed above). During the period from 1940 to 1959, meeting minutes are indicative of the continuation of the law but there do not appear to be significant revisions or additions to tribal regulations.⁵⁵

Tribal Laws and Regulations

While Tribal Meeting Minutes for this period do not contain explicit revision and restating of tribal laws, it is clear from evidence provided in the minutes concerning allotments and the regulation of tribal lands that the tribal laws remained in effect and the Chief and Council remained the arbiters of that law. The few mentions of tribal laws in the minutes available for this period include a header entered into one of the Ledgers just above a resolution to erase all back taxes for tribal citizens (October 7, 1940; payees listed are discussed in the section on Political Participation, below) and the requirement that members “meet all requirements of said Reservation Laws” before being assigned an allotment (September 27, 1950).

Table C3-12. Maintaining Social Order, 1940-1959: Tribal Law in Tribal Meeting Minutes.

Date	Excerpt
October 7, 1940	The Beginning of the Tribal Laws of the Mattaponi Reservation. On Motion ██████████ and second ██████████ – that we will Erase all Back taxes until 1940 taxes to be paid immediately no later than Saturday 12 th 1940. Carried. ⁵⁶
September 27, 1950	3. After hearing from ██████████ It was moved by ██████████ and seconded by ██████████ after meeting all requirements of said Reservation Laws, that the Town will sign to ██████████ The Lot known as ██████████ lot to build there on and occupy with his wife, ██████████ ██████████ ⁵⁷

The continued existence of tribal law was further documented in newspapers throughout the period and is evidence of widespread understandings of the tribal government’s authority and political processes.

Table C3-13. Maintaining Social Order, 1940-1959: Tribal Law in Newspapers.

Date	Excerpt
March 19, 1949	He then framed tribal laws to govern his subjects. [...] Under his tribal government, ██████████ ██████████ claimed that all violations on the reservation were subject to that government and that he had the authority to expel from the reservation "any rude and rebellious citizens." ⁵⁸

⁵⁵ The evidence available is sufficient to demonstrate political authority and supports a presumption of continuity of political authority during this period in line with the Department of Interior’s evaluation standards, including that the Department will not require the demonstration of political influence or authority at every point in time (83.10 (a)(2)) and that it will take into account historical situations for which evidence is demonstrably limited (83.10 (b)(2)).

⁵⁶ ██████████, “Ledger Book, 1934-1946,” ██████████ Collection, Brief Case Section 3, PDF Pages 12.

⁵⁷ Tribal Meeting Minutes, 27 September 1950, Chief ██████████ Collection, Briefcase Section 2, PDF Page 5-7.

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Date	Excerpt
June 13, 1954	[...] The Mattaponi Reservation and regulations for its inhabitants were confirmed originally in 1658 by an Act of Assembly in the colonial legislature. Although the Indians who live there are wards of Virginia-not the United States- they are governed largely by their own laws which are formed by their own chief and tribal council. [...] ⁵⁹
December 22, 1955	[...] The two State recognized Indian reservations govern themselves through their tribal governments without State interference. Each reservation has its chief, council and trustees. The chief of the Mattaponi Tribe is O.T. Custalow [REDACTED] [REDACTED] and the address for this tribe is Route 1, West Point, Virginia. ⁶⁰ [...]
March 14, 1957	The [Mattaponi] tribe has always kept the statutes of the Great Chief, is governed by its own chief and council and makes its own laws. [REDACTED] has been active chief since 1944. ⁶¹

Enforcement of Tribal Laws

Extant meeting minutes do not include information on the enforcement of tribal laws during this period, but laws were clearly enforced. One existing piece of evidence suggests that the Tribe used its most severe form of punishment, banishment, during this period. A newspaper article from 1971 reported, “the last time one of them was thrown off the reservation for misbehavior was 30 years ago.”⁶²

Conclusion

The continued existence and enforcement of tribal law during this period demonstrates the political authority of the Mattaponi Chief and Council. This includes the taxation of members and thus the ability mobilize members for group purposes (83.11 (c)(1)(i)), the import members place on the issues overseen by the tribal government (83.11 (c)(1)(ii)) and “widespread knowledge, communication, or involvement” of members (83.11 (c)(1)(iii)). Moreover, tribal laws themselves, as seen both through their explicit discussion and implicit execution, demonstrate the Tribe’s ability to allocate group resources (83.11 (c)(2)(i)(A)) and exert “strong influence on the behavior of individual members, such as the establishment or maintenance of norms or the enforcement of sanctions to direct or control behavior” (83.11 (c)(2)(i)(C)).

Political Participation

In the period from 1940 to 1959, tribal members regularly participated alongside tribal leaders in town meetings and elections. Additionally, tribal members paid taxes and volunteered or were assigned roles to aid in important tribal activities.

Meeting Attendance

Available meeting minutes show the regular attendance of tribal members living on the Mattaponi Indian Reservation. Meetings included regular Town Meetings (e.g. March 23, 1945), or those regular tribal

⁵⁹ Singleton, A. L. J., “Mattaponi Indians, Due Here on Peter Jones Day, Are Proud Of Heritage,” *The Progress Index* (Petersburg, VA), June 13, 1954.

⁶⁰ Letter to G. Poteet to T. Brasser, 22 December 1955, Governor Stanley, Thomas B., Executive Papers, Accession 25184, State Government Records Collection, Library of Virginia, Richmond, Virginia, Box 81, Folder 11. PDF Pages 29-31.

⁶¹ Staff, “Cub Scouts See Mattaponi Indians,” *Gloucester Mathews Gazette-Journal* (Gloucester, VA), March 14, 1957.

⁶² Furgurson, Ernest B., “The Advantages of Backwater Living,” *The Baltimore Sun* (Baltimore, MD), February 18, 1971.

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meetings held on the Reservation. Elections occurred periodically in the context of these regular community meetings (May 15, 1944). Special meetings were also held to address specific topics including the school and land acquisition plans (October 17, 1941; September 8, 1955; October 21, 1955).

Table C3-14. Political Participation, 1940-1959.

Date	Type of Meeting	Members Present
October 7, 1940 ⁶³	Unknown	Unknown
October 17, 1941	Meeting Called in Regards of the School	6 ⁶⁴
May 15, 1944† ⁶⁵	Town Meeting & Election	8
May 23, 1945 ⁶⁶	Town Meeting	7
May 16, 1949† ⁶⁷	Town Meeting	8
September 27, 1950† ⁶⁸	Town Meeting	10
October 30, 1950 ⁶⁹	Town Meeting	11
September 8, 1955 ⁷⁰	Town Meeting	Unknown
October 21, 1955	Trustee Meeting	Unknown
March 4, 1957 ⁷¹	Town Meeting	12
July 3, 1958 ⁷²	Special Town Meeting	9

†Signifies meetings at which the community was asked to vote on a particular issue including formal elections.

Elections

In this period, tribal members voted for tribal leaders in formal elections held during town meetings. In 1944, Chief ██████████ became sick and recommended his son, ██████████, to carry out his duties serving as acting chief (May 15, 1944). After the death of Chief ██████████, in 1949, an election was held to elect ██████████ to the position of chief. The details of his election were described by Chief ██████████ in a 1960 newspaper article:

Contrary to popular belief, [...] the vacancy left by a chief is filled by election. The position is not passed down from father to son. In the election, each member of the tribe is given a piece of corn and a bean. If the corn, symbolizing life, is placed in a container, similar to the white man's ballot box, it is a vote for the candidate. The bean is a vote against the candidate.⁷³

The continuation of this specific method of voting can be seen throughout the history of the tribe and into present day.⁷⁴

Table C3-15. Political Participation, 1940-1959: Elections.

Date	Excerpt
May 15, 1944	May 15- 1944 Election ██████████ Chairman

⁶³ Law Ledger, 7 October 1940, ██████████ Private Collection, PDF Page 26.

⁶⁴ Tribal Meeting Minutes, 17 October 1941, ██████████ Private Collection.

⁶⁵ Law Ledger, 15 May 1944, ██████████ Private Collection, PDF Page 28.

⁶⁶ Town Meeting Minutes, 23 May 1945, Chief ██████████ Collection, Section 3.

⁶⁷ Town Meeting Minutes, 16 May 1949, Chief ██████████ Collection, Section 1.

⁶⁸ Town Meeting Minutes, 27 September 1950, Chief ██████████ Collection, Section 2.

⁶⁹ Law Ledger, 30 October 1950, ██████████ Private Collection, PDF Pages 30-31.

⁷⁰ Town Meeting Minutes, 8 September 1955, Chief ██████████ Collection, Section 2, PDF Page 1.

⁷¹ Town Meeting Minutes, 4 March 1957, Chief ██████████ Collection, Section 2.

⁷² Law Ledger, 3 July 1958, ██████████ Private Collection, PDF Page 31.

⁷³ Garrett, Curwood, "Evangelist-Indian Chief Draws Large Crowds," *Bristol Herald Courier* (Bristol, VA), July 24, 1960.

⁷⁴ Pollard, John Garland, *The Pamunkey Indians of Virginia*, Washington, D.C.: Washington Government Printing Office, 1894, PDF Page 16; Staff, "Mattaponi Chief Gets New Term," *Newport News Daily Press* (Newport News, Va), November 17, 1971; ██████████, "Interview: Chief ██████████," by ██████████ and ██████████, Mattaponi Indian Tribe, July 26, 2023, PDF Page 15.

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Date	Excerpt
	<p>Roll Call Prayer [REDACTED] [REDACTED] unable to carry on his duties as chief as he has done for many years, recommending to his tribesmen and councilmen [REDACTED] as one whom he believed was able and qualified to take up where he had left off. After a discussion moved by Mr. [REDACTED] and second by [REDACTED] that we elect [REDACTED] as assistant to [REDACTED] filling the office of Chiefship Carried unanimously [REDACTED] Treasurer [REDACTED] Councilman [REDACTED] Councilman [REDACTED] put up would not accept [REDACTED] [Treasurer?] Secretary [REDACTED] [REDACTED] [REDACTED] Signed [REDACTED] chief Asst. [REDACTED]⁵</p>
May 16, 1949	<p>Re-elect Chief of Reservation. After a discussion and reading the minutes of May 15, 1944, the last meeting that [REDACTED] [REDACTED] presided over in this meeting he stated to his Tribesmen and Councilmen that he was unable to carry on as heretofore, recommending [REDACTED] to fill the Chief office of duties. Moved by [REDACTED] and seconded by [REDACTED] that we elect [REDACTED] to take over the Chief's duties. Carried unanimously. [REDACTED] was made temporary Chairman for this election. After the discussion, a motion was called for by the Chairman, moved by [REDACTED] and seconded by [REDACTED] that the Reservation will re-elect [sic] [REDACTED] for said Mattaponi Reservation for four years or until an election is called for by said Reservation. [REDACTED] was sworn in by [REDACTED] to stand by and defend boldly the rights of all Mattaponi Tribal statues as heretofore. Motion unanimously carried.⁷⁶</p>

Reservation Taxes

From 1940 and 1959, the Mattaponi government oversaw annual tax payments remitted. Taxes were remitted by tribal heads of household living on the Mattaponi Indian Reservation. Tax payment records note members who held government positions and indicate that Chief [REDACTED] was exempt from the reservation tax for the years during this period for which tax records exist. Such tax revenue was

⁷⁵ Law Ledger, 15 May 1944, [REDACTED] Private Collection, PDF Page 28. Newspapers recounting this election include: Staff, "To Ordain Custalow Baptist Evangelist," *The Tidewater Review* (West Point, VA), January 21, 1960; Staff, "Mattaponi [sic; Mattaponi] Chief to be Ordained," *Newport News Daily Press* (Newport, VA), January 23, 1960; Staff, "Indian Chief Ordained Baptist Minister," *The Word and Way* (Kansas City, MO), February 18, 1960.

⁷⁶ Tribal Meeting Minutes, 16 May 1949, Chief [REDACTED] Collection, Briefcase Section 1, PDF Page 1.

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Date	Excerpt
	suptender [sic; superintendent] for the Mattaponi School according to election heretofore. Carried. ⁸²

Membership and Votes

The Chief and Council continued to manage tribal membership, reinstating off-reservation members to reservation status and administering the right of tribal members to a voice and vote (May 16, 1949; January 1, 1950; September 27, 1950). Such requests were a prerequisite of reservation allotment and precursors of current enrollment procedures.

Table C3-18. Political Participation, 1940-1959: Membership and Votes.

Date	Excerpt
May 16, 1949	3.Moved by [REDACTED] and seconded by [REDACTED] that [REDACTED] just registered, be sworn in and given a seated voice. Unanimously carried. ⁸³
1950 ca.	Moved by [REDACTED] and seconded by [REDACTED] that we give [REDACTED] and [REDACTED] a seat and voice in Res meetings. Carried. ⁸⁴
September 27, 1950	Moved and seconded that the new members be given a seat and voice in Reservation meeting carried. 3. After hearing from [REDACTED] [REDACTED]. ⁸⁵

Conclusion

Attendance at meetings, participation in governmental elections, payment of tribal taxes, participation in tribal services, and submission to the Chief and Council for acceptance into membership are clear indicators of the Tribe’s ability to “mobilize significant numbers of members and signification resources from its members for entity purposes,” (83.11 (c)(1)(i)), that “the membership considers issues acted upon or actions taken by entity leaders or governing bodies to be of importance” (83.11 (c)(1)(ii)), and that “there is widespread knowledge, communication, or involvement in political processes by many of the entity’s members” (83.11 (c)(1)(iii)). Moreover, the collection of taxes demonstrates the tribal government’s ability to “allocate entity resources such [...] residence rights, and the like” (83.11 (c)(2)(i)(A)), and exert “strong influence on the behavior of individual members” (83.11 (c)(2)(i)(C)).

External Relations

From 1940 to 1959, the Mattaponi tribal government maintained relationships with state, federal, and tribal governments. This included the preservation of tribal status as well as the regular representation of the Tribe at external events and preservation of treaty relations through the annual presentation of tribute to the Governor of Virginia.

⁸² Tribal Meeting Minutes, 27 September 1950, Chief [REDACTED] Collection, Section 2, PDF Pages 5-7.
⁸³ Tribal Meeting Minutes, 16 May 1949, Chief [REDACTED] Collection, Section 1, PDF Page 1.
⁸⁴ Tribal Meeting Minutes, 1950 ca., Chief [REDACTED] Collection, Section 1, PDF Page 1.
⁸⁵ Tribal Meeting Minutes, 27 September 1950, Chief [REDACTED] Collection, Section 2, PDF Pages 5-7.

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Protection of Indian Status

During the period from 1940 to 1959, the Chief and Council intervened on behalf of tribal members to safeguard their tribal and Indian status. This included interfacing with local, state, and federal officials to solidify tribal status in the face of State Registrar W.A. Plecker’s continuing efforts to erase tribal status, identify opportunities occasioned by the Indian Reorganization Act, preserve Indian status in the context of World War II service, and obtain federal educational benefits. It also included efforts to assert exemption from census enumeration, protect the exemption from taxes, and ensure the continued exemption from hunting and fishing license requirements for tribal members.

Virginia Racial Integrity Laws and the Indian Reorganization Act

Two significant events from previous periods spurred efforts to preserve and enhance Indian status within the Virginia Indian community during the period from 1940 to 1959. The first was Virginia’s 1924 passage of the Racial Integrity Act.⁸⁶ While the act itself carved out special status for the Mattaponi and Pamunkey tribes, the efforts of State Registrar of Vital Statistics W.A. Plecker to erase Indian status from state records continued.⁸⁷ The second was the passage of the Wheeler Howard Act in 1934. This Act, largely known as the Indian Reorganization Act (IRA), opened up new opportunities for tribal self-governance and self-determination.⁸⁸ During this period, the Tribe worked with advocates like James R. Coates and Frank G. Speck, sharing paperwork and taking tribal censuses in the hopes of protecting themselves from the Plecker’s machinations and securing federal recognition and benefits. Coates, who organized the effort, described the purpose of these formal tribal rolls, stating:

When we have a list that we know is complete in every detail, then we may appear before the proper legal authorities of the State or Federal Government, and show exactly who we are fighting for in our effort to obtain official recognition and proper classification as native Virginia Indians.⁸⁹

In addition to formal tribal rolls (April 29, 1942), Coates obtained an affidavit from ethnologist Frank G. Speck (December 8, 1944) and petitions from white citizens in the surrounding counties (March 1, 1945). It is clear from his correspondence (March 12, 1945) and from Mattaponi tribal meeting minutes that he and others recognized the continuing authority of the Mattaponi tribal government and that the Chief and Council were active participants in efforts to preserve tribal rights and status, including the overseeing of the development of the Tribal Roll and the collection of petition signatures.

Table C3-20. External Relations, 1940-1959: Preserving and Enhancing Tribal Status.

Date	Excerpt
April 29, 1942	Your assistance is requested in providing me with a complete list of all persons who are members of your tribe in good standing. Do not include any one who is not entitled to the strict classification of Indian. The purpose of this list is to separate all persons who are members of your tribe in good standing from any and all persons who may claim to be members of your tribe and who are not entitled to that distinction. When we have a list that we know is complete in every detail, then we may appear before the proper legal

⁸⁶ Wolfe, Brendan, “Racial Integrity Laws (1924-1930),” *Encyclopedia Virginia*, September 21, 2024, <https://encyclopediavirginia.org/entries/racial-integrity-laws-1924-1930/>.

⁸⁷ Talbot, Tori, “Walter Ashby Plecker (1861–1947),” *Encyclopedia Virginia*, September 21, 2024, <https://encyclopediavirginia.org/entries/plecker-walter-ashby-1861-1947/>.

⁸⁸ “Records Relating to the Indian Reorganization Act (Wheeler-Howard Act), National Archives, Washington, DC. <https://www.archives.gov/research/native-americans/indian-reorganization-act>, accessed September 21, 2024.

⁸⁹ Personal Papers: Coates, James P. James R. Coates, 1833-1947, Accession 31577, Personal Papers Collection, Library of Virginia, Richmond, Virginia, PDF p. 16.

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Date	Excerpt
	<p>authorities of the State or Federal Government, and show exactly who we are fighting for in our effort to obtain official recognition and proper classification as native Virginia Indians.</p> <p>I urge you to prepare this list without undue delay and with the greatest of care to see that no one is rightfully entitled to the distinction of being on the list is omitted, and to be sure that no one, under any circumstances, be permitted to appear on the list whose good standing and blood relation is other than pure Indian or Indian and white.</p> <p>Be assured the writer will use this information solely for the betterment of conditions relative to your tribe and the individuals included therein, and in no way will it be treated with anything short of the greatest possible respect and dignity.</p> <p>After the lists have been prepared carefully, they will be typed by myself and returned for the purpose of being carefully re-checked by the Chief and Council and all other interest parties in authority over you tribe, to be doubly sure of the absolute accuracy of the tribal list. [...]⁹⁰</p>
December 8, 1944	<p>TESTIMONIAL FOR INDIANS OF VIRGINIA APPROVING THEIR CLAIM FOR INDIAN CLASSIFICATION</p> <p>During a period of over 50 years the undersigned as carried on field research in Anthropology, ethnology, Ethnohistory, and Linguistics among Indian groups situated between Labrador and the Gulf of Saint Lawrence and east of the Mississippi. These expeditions and research necessitated living with Indian bands on an intimate plane of association under varied conditions of native life, in observation of all aspects of the same among thousands of individuals classified as Indian residing in the Provinces and States included within the range of research. It has also meant intimate residence with certain groups in Oklahoma where the Indian population is proportionately high. Publications resulting from this activity has been numerous, appearing in scientific journals and also in book form; none of which have been intended for popular reading but confined in scope to the scientific aspects of American Ethnology (for reference to activities and major publications see F.G. Speck in Who's Who).</p> <p>Much of the time indicated was spent among remnants of Indian tribes in Virginia. The results of this fieldwork and documentary research in the Virginia area have been published in part and are included in the reference designated. My testimony in regard to the authenticity of the direct Indian descent of the tribal groups surviving in the tidewater area of Virginia is given without hesitation. Were these groups situated in Oklahoma, in New York State or in Canada there would be no reason to distinguish them as ethnically Indian. The physical types presented by these people would not be differentiated from those of the States and Provinces where Indian classification is never denied to those who are historically entitled to it.</p> <p>I trust that the testimony thus offered as the judgment of an anthropologist and ethnologist will accomplish something in the minds of those who seek an estimate from scientific sources toward the recognition of the Eastern Virginia tribes as Indian groups. The estimate is made upon grounds as valid as those which guarantee the classification of Indian groups in other parts of the United States and Canada.</p> <p>Sincerely, Frank G. Speck</p>

⁹⁰ Personal Papers: Coates, James P. James R. Coates, 1833-1947, Accession 31577, Personal Papers Collection, Library of Virginia, Richmond, Virginia, PDF Page 16.

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Date	Excerpt
	Professor of Anthropology University of Pennsylvania Philadelphia, Pennsylvania ⁹¹
March 1, 1945	<p>We, the undersigned being white citizens of age, residing in King and Queen, and King William Counties in the State of Virginia, which counties are immediately adjacent to the community wherein reside the Mattaponi Tribe of Indians do certify as follows: From direct association and first-hand experience, we the undersigned, attest that these persons living on the Virginia State Mattaponi Reservation, are considered by us to be good American citizens of Indian ancestry. We desire and request that these persons of the Mattaponi Indian Tribe be given formal recognition by those in authority in the State of Virginia, as direct descendants of the old original Mattaponi Indian Tribe, and it is our sincere belief that the persons herein mentioned are of the blood strain of the American Indian and in some cases include white blood, in varying degree. In our opinion, in no case do these persons claiming to be members of the Mattaponi Indian Tribe, contain less than 25% Indian blood, nor more than 75 % of white blood, and in no case among these persons residing on said Mattaponi Reservation, who claim to be Indians, contain any blood other than Indian or White. We the undersigned, take just pride in having the remnants of the Mattaponi Indian Tribes residents in this community and resent the claims of certain prejudiced individuals that these Indians contain Negro blood.</p> <p>With full understanding of the purposes of this petition and with keen sense of honesty and American [?], to do each hereto voluntarily affix our signatures in protest against any classification of these Indians as anything but Indian or Indian and white and desire and request that they be given every consideration and rights as citizens of Indian ancestry, of the state of Virginia. [List of Names]⁹²</p>
March 12, 1945	<p>Dear [REDACTED]</p> <p>I thank you for your nice letter of March 8th, and I am happy to report that I have just returned from a very successful trip to see Governor Darden in Richmond. He expressed a desire to see the situation improved for our Indians in Virginia. I believe he is going to be of tremendous help in time to come while he remains in office.</p> <p>I do not have any Birth Certificates or the like from the Mattaponi Reservation as I requested sometime ago. I need several and hope that you can get some for my use in showing you fold as Indians. If you can let me have some of these documents, I will be extremely careful with them and return them to you by Registered mail after having them photographed. I will also supply you with a duplicate or photographed copy of same to assist the owners in protecting their Birth Certificates by having a photographed copy.</p> <p>As for the petition, do not rush with it at the present but spend as much time as you need to get it completed. There are two columns for signatures which will permit approximately 44 people to sign it. I hope that you will get your white neighbors to sign it and return it to me within the next two or three weeks. After the petition is returned to me completed, I will have it photographed and will be glad to furnish you as Chief, with a copy for your Tribal records.⁹³ [...]</p>

⁹¹ Speck, Frank G., "TESTIMONIAL FOR INDIANS OF VIRGINIA APPROVING THEIR CLAIM FOR INDIAN CLASSIFICATION," 8 December, 1944, Personal Papers: Coates, James P. James R. Coates, 1833-1947, Accession 31577, Personal Papers Collection, Library of Virginia, Richmond, Virginia, PDF Page 6-7.

⁹² List of White Citizens Certifying Mattaponi Blood Percentage, 1 March 1945, Personal Papers: Coates, James P. James R. Coates. 1833-1947, Accession 31577, Personal Papers Collection, Library of Virginia, Richmond, Virginia, PDF Page 24-25.

⁹³ Letter from James Coates to Chief [REDACTED], 12 March 1945, Chief [REDACTED] Collection, Section 1, PDF Page 2.

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Selective Service Exemption

The question of whether Indians as wards of the state could be conscripted into military duty once again arose at the onset of World War II. After the Attorney General's 1918 ruling that Mattaponi men were not eligible to be drafted due to their non-tax status, Chief [REDACTED] appealed the President Roosevelt and the Provost Marshal as to whether the status of Indians had changed since the 1918 ruling (April 29, 1942). [REDACTED] appeal was referred to the Office of Indian Affairs to which the Commissioner replied that due to the 1924 Act extending citizenship to all American Indians, Mattaponi men were now regarded as eligible for the draft (May 12, 1942). Though the law had changed, this example shows the tribal government advocating for the rights and protection of members of the Tribe.

Table C3-21. External Relations, 1940-1959: Indian Status in the Selective Service Draft.

Date	Excerpt
April 29, 1942	<p>Hon. Franklin Delano Roosevelt President of the United States, Washington, D.C. Dear Sir:</p> <p>We the Mattaponi Tribal Indians, do appeal to you, in behalf of our Tribal Status. Has their [<i>sic.</i>] been any recent act of law depriving us of our Tribal rights, which we have always enjoyed being as non-citizens, and wards of the state, not subject to taxation, by the state Local or other-wise, maintaining our own form of Government making its own laws, Governing its people upon the said Mattaponi Reservation. We are enclosing a copy of the ruling to Hon. H.C. Stuart Governor of Virginia, from War Department office of the Provost Marshal General Aug. 18-1917, in regards to the two Tribal Reservations in Virginia. We are thanking you in advance for your interest in our behalf in advising us in regards to our Tribal rights.</p> <p>Very Truly yours [REDACTED]⁹⁴</p>
May 5, 1942	<p>[REDACTED] Sweet Hall, Virginia</p> <p>Dear Sir:</p> <p>Reference is made to your letter of April 29, 1942 to The Provost Marshal General, requesting information regarding the exemption status of Tribal Indians.</p> <p>The Provost Marshal General administered the Selective Service Draft Act of 1917, and corresponded with you in regard to such exemptions. The Selective Training and Service Act of 1940, however, created the Office of Director of Selective Service, who is to administer its provisions.</p> <p>Your letter is being referred to the Director of Selector Service for his information and such action as he deems appropriate.⁹⁵ [...]</p>
May 12, 1942	<p>[...] My dear [REDACTED]</p>

⁹⁴ Letter from Chief [REDACTED] to President F. D. Roosevelt, RG 75, Central Classified Files, 1940-57 General Service, Box 244, Folder 20304, National Archives and Records Administration Washington, D.C.

⁹⁵ Letter from B. Bryan, War Department to Chief [REDACTED] 5 May 1942, Chief [REDACTED] Collection, Section 3, PDF Page 1.

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Date	Excerpt
	<p>Your letter of April 29 addressed to President Roosevelt and to the Provost Marshal General have been referred to this Office for reply.</p> <p>There has been a change in the citizenship status of many Indians since 1917. IN 1924 Congress passed an act, approved June 2, 1924 (43 U.S. Stat. 253), extending citizenship to all Indians born within the territorial limits of the United States who were not already citizens.</p> <p>Therefore, while in 1917 many Indians were not citizens and could claim exemption from the draft on account of non-citizenship, as Indians coming within the terms of the Act of June 2, 1924 are citizens of the United States, they would not be entitled to claim exemption from the draft on the ground that they were not citizens.⁹⁶</p>
May 18, 1942	<p>[...] Dear ██████████</p> <p>Your letter of April 29th to the War Department, Office of the Provost Marshal General, was forwarded to National Headquarters for Selective Service and by that Headquarters to this office. National Headquarters has given an outline of the laws presently in affect, governing the status of Indians under the Selective Training and Service Act of 1940, as amended. For your information the pertinent portions of this letter containing extracts of the law are quoted below ⁹⁷ [...]</p>

Federal Educational Benefits

Pursuant to the 1934 passage of the Wheeler-Howard Act, tribes like the Mattaponi became a subject of concern to the applicability of funding. Internal communication from the Office of Indian Affairs demonstrate anxiety over the unclear and uneven application of the law and its interpretation with regard to Virginia's tribes, specifically with regard to education, stating:

I don't want to be argumentative about what we are going to do for these Virginia Indians, but just how we can help them educationally? [...] Under the Wheeler-Howard Bill Sec. 19, there are three classes of Indians defined. The Pamunkeys could come in under the last classification, namely those persons of one-half or more Indian blood, if they have the proper blood status. Under Mr. Cohen's interpretation, these Indians could also share in all other features of the Wheeler-Howard Bill, but there are no appropriations.

Seems to me the Front office should decide, how far we are going. Mr. Collier's note does say we would at least give consideration to suggestions for educational work among them.⁹⁸ [...]

It is significant that the Tribe was ultimately determined to fall under these provisions, and by as early as 1946 Mattaponi students were attending the federally funded school at Cherokee, North Carolina. When Chief Adams, of the Upper Mattaponi, inquired regarding educational opportunities that year, Williard Beatty, Director of Education in Office of Indian Affairs, wrote:

I did however, visit Mrs. Baldrige, the social worker at King William, and arranged with her for the admission of some of the Virginia Indian children to Federal high schools. We

⁹⁶ Letter from F. Darden, Assistant to the Commissioner of Indian Affairs to Chief ██████████, 12 May 1942, Chief ██████████ Collection, Section 1, PDF Page 1.

⁹⁷ Letter from J. Griffing to Chief ██████████, 18 May 1942, ██████████ Collection, Section 2, PDF Pages 1 & 2.

⁹⁸ Memo from Daiker to Miss McGair, RG 75, 1933-1939 Central Classified Files, 1907-39 General Service, Box 372, Folder 18873, National Archives and Records Administration, Washington, D.C.

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operate a boarding high school at Cherokee, North Carolina, and the Superintendent, Mr. Joe Jennings, has agreed to send a bus next fall to pick up some the Pamunkey and Mattaponi Indian children who are ready for high school.⁹⁹

The agreement speaks to the federal government’s understanding of its obligations, alongside the state of Virginia, to provide for the further education of Mattaponi students. It also was built upon the relationships that the tribal government cultivated with the Commonwealth regarding education at the primary level and would have required their participation as the main body of oversight of education on the Mattaponi Indian Reservation.

Census Enumeration

In 1940, the District Supervisor of the Census wrote to the Governor of Virginia explaining an instance between the enumerator and Chief ██████████ argued that since Mattaponi citizens were wards of the state, they were not obligated to comply with answering information about the census. The Governor in turn requested that the Chief and members of the reservation provide the information needed (June 7, 1940). Ultimately the Mattaponi Indian Tribe complied, and the 1940 census noted the status of their lands, stating “The Indians own their houses but since they are Wards of the State they of course do not own any land on Reservation.”¹⁰⁰

Table C3-19. External Relations, 1940-1959: Census Enumeration.

Date	Excerpt
June 6, 1940	<p>Hon. James H. Price Governor of Virginia Richmond, Virginia</p> <p>Dear Sir:</p> <p>I have been designated by the Federal Bureau of the Census as Supervisor for the Third Congressional District, excluding the City of Richmond, in connection with the taking of the 1940 Census.</p> <p>In my district there are several Indian reservations, one of which is known, I believe, as the Mattaponi Indian Reservation, the chief ██████████ of which is a man named ██████████. When our enumerator for that section, a Mrs. Louise P. Johnson, who, incidentally, is a very intelligent and quite well-known person in that section, went to the Reservation to take the Census, she encountered no difficulty from the first few families but when she reached the home of the chief, she was treated rather rudely and was told that since the people there were wards of the state, they were under no obligation to supply the requested information and would not do so unless so directed by you. Mrs. Johnson did everything in her power to obtain the information without antagonizing the people too much, but was unable to do so.</p> <p>I wonder, therefore, if you will be kind enough to address a letter to ██████████ requesting him to cooperate with us in this matter. I would prefer that you send the letter to me so that the enumerator could show it to him, but if you believe it best to write directly to him, I shall appreciate it if you will forward me a copy of your letter.</p>

⁹⁹ Letter from W. Beatty to Chief J. L. Adams, 6 March 1946, Personal Papers: Coates, James P. James R. Coates. 1833-1947, Accession 31577, Personal Papers Collection, Library of Virginia, Richmond, Virginia, PDF Page 20.

¹⁰⁰ U.S. Federal Census: Virginia, King William, West Point, 51-6. Sixteenth Census of the United States, 1940, MF T627, Records of the Bureau of the Census, National Archives and Records Administration, Washington D.C. PDF Pages A61, B61, 18, 19. The successful completion of the census enumeration of the Mattaponi Indian Reservation was completed on June 13, 1940, and household data analysis is provided in Criterion B.

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Date	Excerpt
	<p>Thanking you in advance for your assistance, I am</p> <p>Very truly yours,</p> <p>John G. Warburton District Supervisor Bureau of the Census¹⁰¹</p>
June 7, 1940	<p>[REDACTED]</p> <p>Sweet Hall Virginia</p> <p>My dear [REDACTED]</p> <p>As you know, the United States Government is now engaged in taking the census which is required every ten years. It is important to Virginia that all persons living within the Commonwealth should be enumerated and that the information required for purposes of the census be supplied.</p> <p>I am, therefore, requesting that you cooperate with the enumerator in supplying such information about the people of your reservation. I am sure that you will not find it burdensome or difficult to comply with the requests of the enumerator.</p> <p>Very cordially yours,</p> <p>W. M. Kemper Executive Assistant ¹⁰²</p>

Tax Exemption

Recognition of Mattaponi's special status continued throughout this period in relation to their exemption from state automobile taxes. In 1946, [REDACTED] and Councilman [REDACTED] inquired whether work trucks housed on the reservation were subject to taxation. Letters written on their behalf affirmed Mattaponi's tax exemption status on the reservation (August 7, 1946; November 30, 1946). References to the tribe's status concerning motor vehicles taxation reemerged in the late 1950s, of which the State once again confirmed the special status afforded to the Mattaponi and Pamunkey tribes as non-taxed on their respective reservations (June 26, 1957; July 5, 1957).

Table C3-23. External Relations, 1940-1959: Automobile Tax Exemption

Date	Excerpt
August 7, 1946	<p>[...] [REDACTED] tells me that several trucks owned by members of the Mattaponi tribe of Indians and kept on the Reservation, used from time to time to haul timber from tracts of land in King William County to the Chesapeake Corporation plant at West point [illegible] the decision of the Circuit Court in the case mentioned, which was not appealed, and is a law now, I am of the opinion that these trucks belong to the members of the tribe kept on the Reservation and not in actual use for purposes of going to and from the Reservation and West Point are not Liable for</p>

¹⁰¹ Letter from J. Warburton to Governor Price, 6 June 1940, Governor Price, James H., Executive Papers, Accession 23344c, State Government Records Collection, Library of Virginia, Richmond, Virginia, 1938-1942, RG 3. <https://lva.omeka.net/items/show/13>.

¹⁰² Letter from W. Kemper to Chief [REDACTED], 7 June 1940, Governor Price, James H., Executive Papers, Accession, 23344c, State Government Records Collection, Library of Virginia, Richmond, Virginia, 1938-1942, RG 3. <https://lva.omeka.net/items/show/14>.

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Date	Excerpt
	<p>taxation. I trust that you will instruct the Commissioner of the Revenue accordingly, and if they have been already assessed that you will instruct him to cancel those assessments.¹⁰³</p>
<p>November 30, 1946</p>	<p>[...] ██████████ has spoken to me concerning the assessment for purposes of taxation as personal property of trucks owned by him or other Indians resident upon the Mattaponi Reservation and used by them for hauling pulp wood.</p> <p>Considering the tax exemptions applicable to Indians resident upon a reservation, trucks principally garaged upon such reservation and owned by Indians resident upon such reservation do not appear to be subject to taxation by the County as personal property, even though used for purposes of hauling off the reservation. As I understand that the trucks here in question are owned by Indians resident upon a reservation and are there principally garaged, I am of the opinion that they are not taxable by King William County as personal property.¹⁰⁴ [...]</p>
<p>June 26, 1957</p>	<p>MOTOR VEHICLES—Local Licenses—Tribal Indians Living on Reservation Not Subject to. (372) June 26, 1957.</p> <p>HONORABLE John Paul CAUSEY Commonwealth's Attorney of King William County</p> <p>This is to acknowledge receipt of your letter of June 6 in which you request my opinion on certain questions which will be answered seriatim.</p> <p>Are tribal Indians resident upon these two reservations (Pamunkey and Mattaponi) required to have a County motor vehicle license under the ordinance adopted by the Board of Supervisors of King William County requiring such licenses for motor vehicles owned and operated by residents of King William County? [...] It is, therefore, the opinion of this office that the members of the Pamunkey and Mattaponi Indian tribe who maintain homes and residences upon such reservations are not liable for the license tax required under the County Ordinance on motor vehicles so long as such motor vehicles are garaged (kept) on said reservations, although such vehicles may be driven on the public highways of King William County.¹⁰⁵ [...]</p>
<p>July 5, 1957</p>	<p>Atty. Gen. J. Lindsay Almond Jr. today reached back for an enactment of Virginia's colonial legislature in ruling that Indians on King William County reservations aren't required to buy county auto license tags.</p> <p>Almond told King William Commonwealth's Atty. John Paul Causey that while Virginia has accorded Indians citizenship status, it has never taxed them for anything on their reservations and has always 'prohibited their molestation.'</p> <p>[...] Under consideration was the question of whether tribal Indians on the Pamunkey and Mattaponi reservation in King William can be required to buy county motor vehicle license plates under a general county ordinance.</p>

¹⁰³ Letter from H. Montague to Mr. Causey, 7 August 1946, Chief ██████████ Collection, Section 1.

¹⁰⁴ Letter from J. Causey to L. Robinson, 30 November 1946, Chief ██████████ Collection, Section 1.

¹⁰⁵ *Annual Report of Officers Board and Institutions of the Commonwealth of Virginia, 1956-1957*. Annual Report of Officers Board and Institutions of the Commonwealth of Virginia; Annual Reports of the Commission of Fisheries of Virginia, Vol. 1, Richmond, Virginia: Commonwealth of Virginia Division of Purchase and Printing, 1957. PDF Page 430-432.

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Date	Excerpt
	<p>[...] He noted the attorney general's office held in 1917 that Pamunkey and Mattaponi Indians "are exempt from all taxes-state, local or otherwise."</p> <p>Almond said a King William County Circuit Court Decision of 1919 held that an Indian residing on the Mattaponi reservation could not be taxed by the county or the state, although personal property owned by an Indian off the reservation was liable to taxation. [...]¹⁰⁶</p>

License Exemption

During this period, tribal leadership continued to monitor and safeguard tribal hunting and fishing rights. Such efforts demonstrate a recognition of the importance of these practices as a central livelihood strategy for the community. In 1940, Assistant Chief [REDACTED], citing an article in the Tidewater Review, inquired of the Governor about the license exemption for tribal members fishing off the reservation. While the Governor responded that no changes had been made regarding Indians being required to have a license, the exchange shows that the tribal government continuously monitored external legislation to ensure the protection of tribal rights.

Table C3-22. External Relations, 1940-1959: License Exemption.

Date	Excerpt
June 26, 1940	<p>Dear Governor-</p> <p>I am enclosing a clipping from, "The Tidewater Review," paper issue June 13th, 1940, carrying a ruling of our Hon. Ex. Sec'y M.D. Hart of the State Commission of Game and Inland Fisheries. That the Indians on the Reservation could not fish beyond the boundary line of same without a license.</p> <p>Have their been any recent act of the Legislature depriving these Indians of this priviledge? [sic] which they have long enjoyed, and was granted to them by the Colonial laws, and signed by one of the early Governors of Va. That the Indians of the Tidewater, have a right to fish & oyster without a permit or license. This ruling is far reaching. We feel that our Hon. Ex. Sec'y M.D. Hart wants to deal honestly with his red brothers who have become his friends and next door neighbors. [...] Hon Great White Chieftian, we appeal to you for the protection of our rights and privileges, which our people have long enjoyed. We feel that you would not make our burdens any heavier, as you are acquainted with the fact that we have only 67 acres of land left. With about 80 inhabitants living on same with a water front of about 250 or 300 yds. Fishing is one of our main sources of livelihood. The fate of our people, rests with you and your "great council," as the state has only provided a 7th Grade education for us. How can we face the advanced civilization of the world to-day? [...]</p> <p>Assit' [REDACTED] ¹⁰⁷</p>
July 6, 1940	<p>[...] Dear Chief [REDACTED]:</p> <p>Colonel W.M. Kemper, Executive Assistant to Governor Price has forwarded me your letter of June 26th which I have read with interest.</p> <p>There has been no recent act of the Legislature affecting the status of the Indians. [...]</p>

¹⁰⁶ Staff, "Almond Cites 1658 Statute to Exempt Indian Car Tags," *Newport News Daily Press* (Newport News, VA), July 5, 1957. See Also: Staff, "Indians Don't Need County Auto Tags," *The Washington Post* (Washington D. C.), July 5, 1957.

¹⁰⁷ Letter from Assistant Chief [REDACTED] to Governor Price, 26 June 1940, Chief [REDACTED] Collection, Section 1, PDF Pages 2 & 3.

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Date	Excerpt
	Carl H. Nolting, Chairman ¹⁰⁸

Ceremonial Representation

During the period between 1940 and 1959, Mattaponi leaders represented the tribe at intertribal events and hosted Commonwealth officials on the reservation. Ceremonial events included ‘Peter Jones Day’ described as a reenactment of English settlement and a buffalo dinner hosted by the Richmond Chapter of the Izaak Walton League of America (June 23, 1954; December 10, 1958). During the annual tax tribute of 1954, Chief ██████ invited the Governor to the reservation, and in December the Governor and his family visited to reservation and museum demonstrating a significant relationship between the Chief and Commonwealth (December 16, 1954). Each of these examples indicates the Tribal Government representing the Tribe and connecting with intertribal and State leaders.

Table C3-24. External Relations, 1940-1959: Ceremonial Representation.

Date	Excerpt
May 24, 1940	[...] Representing the original Indian rulers of a vast domain in the exercises were Chief Walter Bradby of the Pamunkeys, Chief E. P. Bradby of the Chickhominies and Chief O. T. Custale ██████ of the Mattaponis. [...] Officers of the association directing the memorial exercises were Mrs. R. J. Thurston, president; Mrs. Henry Garber, vice- president; Mrs. Vern on Rice, treasurer, and Mrs. Henry Leonard, secretary. ¹⁰⁹
June 23, 1954	[...] At the harbor to meet "Peter Jones" will be Mayor Churchill G. Dunn and Vice Mayor Gordon T. Winfield; a band of Mattaponi Indians (real ones); members of the committee; and representatives of the Boy Scouts, the Improved Order of Red Men, and other organizations. Chief O. T. Custalow ██████ of the Mattaponi Tribe, is scheduled to greet the returning colonial trader on behalf of all the tribes of Virginia. The chief is a direct descendant of King Powhatan, who ruled some 32 tribes of an Algonquin Indian nation that controlled Eastern Virginia when white settlers like Peter Jones first came. [...] At about 2 p. m., after a "break" for lunch, the ceremonies will continue on Franklin St. between Sycamore and Monroe Sts [<i>sic</i>]. On this site, the Mattaponi Indians will perform tribal war dances, and two contests will be judged. [...] ¹¹⁰
June 26, 1954	[...] On hand to make the returned wanderer feel at home were Chief Custalow ██████ and a half dozen of his braves and squaws from the Mattaponi Indian Reservation in King William County- some of whose ancestors in the mighty tribes of Powhatan traded with Peter Jones, it was duly noted. (The chief observed he is a direct descendant of Powhatan.) Mayor Churchill G. Dunn greeted the old trader as he stepped ashore, and presented both him and Chief Custalow with keys to the city, while several hundred citizens watched. [...] ¹¹¹
December 16, 1954	Stanley Visits Mattaponi Indians

¹⁰⁸ Letter from C. Nolting to ██████, 6 July 1940, Chief ██████ Collection, Section 1, PDF Page 4.

¹⁰⁹ Staff, “Indians Re-enact Welcome to English Settlers Here,” *Richmond Times Dispatch* (Richmond, VA), May 24, 1940.

¹¹⁰ Staff, “Peter Jones’ Will Arrive,” *The Progress Index* (Petersburg, VA), June 23, 1954.

¹¹¹ Crockford, Hamilton, “Petersburg Welcomes Its Founder,” *Richmond Times Dispatch* (Richmond, VA), June 26, 1954.

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Date	Excerpt
	<p>Governor Thomas B. Stanley paid surprise visit to the Mattaponi Indian Reservation Sunday afternoon, Dec. 5. Chief O. T. Custalow [REDACTED] was notified of the visit by telephone late that morning and the Governor and his party arrived about 12:30 for a 3-hour stay.</p> <p>[...] An invitation to visit the reservation had been extended the Governor by the Chief and tribesmen when they were in Richmond to present the annual Thanksgiving license to him at the Mansion.</p> <p>The Governor party was welcomed by Chief Custalow and his squaw, Elizabeth and the tribe members in full Indian regalia.</p> <p>During the afternoon members of the tribe executed two tribal dances, the peace dance and the snake dance. The Governor and his family said they especially enjoyed a tour of the museum on the reservation. In it are a large number of Indian relics, some of which date back more than 1,000 years. Mr. Stanley said that a visit to the museum is educational for adults as well as children.</p> <p>When the Governor learned that the reservation has only 125 acres he said that more land should be added to it and he promised to look into the matter.</p> <p>Chief Custalow, who is the father of 14 children, has ruled the tribe of 80 Indians since 1940. He succeeded his father, the late [REDACTED] who was chief for 26 years and died in 1949.</p> <p>Groups from four schools have recently visited the reservation, the Chief said.¹¹²</p>
February 24, 1955	<p>February 24, 1955</p> <p>[REDACTED] Mattaponi Indian Reservation Sweet Hall, Virginia</p> <p>Dear [REDACTED]:</p> <p>Mrs. Stanley and I with our daughter and son-in-law, Mr. and Mrs. Chatham, and their four sons and Mr. and Mrs. Thos. B. Stanley, Jr. and their one son enjoyed so much our visit to your Reservation on December fifth, 1954. You were indeed very gracious to us.</p> <p>We thoroughly enjoyed seeing your museum and receiving your lecture on the early Virginia life with the Indians.</p> <p>It was a real treat to us to visit you and to meet your family and members of your tribe. Mrs. Stanley is very grateful to you for the gifts presented. This will long be remembered by all of us and with our good wishes to you always, I am</p> <p>Sincerely yours, Thos. B. Stanley ¹¹³</p>
December 10, 1958	<p>[...] Governor Almond and the chiefs of the Pamunkey and Mattaponi Indian tribes will be special guests. Four quarters of buffalo were purchased by the Waltonians from the federal ranges in the west where the buffalo herd must annually be thinned.¹¹⁴ [...]</p>
December 14, 1958	<p>[...] Mattaponi Indian Chief Otho Custalow [REDACTED] is a man of many words. Knows much history.</p>

¹¹² Staff, "News From Neighboring Counties," *Gloucester Mathews Gazette Journal* (Gloucester, VA), December 16, 1954.

¹¹³ Letter from Gov. Stanley to Chief [REDACTED], 14 February 1955, Letters from Governors, Mattaponi Indian Museum, PDF Page 1.

¹¹⁴ Staff, "Waltonians Plan Buffalo Dinner," *Richmond News Leader* (Richmond, VA), December 10, 1958.

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Table C3-26. External Relations, 1940-1959: Annual Tax Tribute in Newspapers.

Date	Excerpt
1942	[...] according to the ancient custom, still present their annual tribute of game the governor in lieu of taxes; and a few 'Mattaponies' of even more doubtful purity on the other side of the county. ¹²⁰
November 30, 1944	TURKEY FOR GOVERNOR An 18-pound wild turkey gobbler was presented to Governor Darden yesterday for his Thanksgiving dinner by O. T. Custalow [REDACTED] chief of the Mattaponi Indian tribe of Virginia. It was the second Thanksgiving gift of wild meat presented to the Chief Executive within 10 days. The other was a 150-pound deer, gift of the Pamunkey tribe." ¹²¹
January 27, 1945	"Indians Reservations [...] 2. Which is the tribe that makes its annual gift of game to the Governor? - Mrs. W. W., Lacrosse. Answer: Both the Pamunkeys and the Mattaponis follow this custom." ¹²²
October 24, 1945	Is it law or custom that requires payment of a deer to the Governor of Virginia by the Indians each Fall?- Missionary Group, Churchville. Each Year, just before Thanksgiving Day, the Pamunkey Indians bring the Governor a tribute of game, which may or may not be one or more deer. [...] The Mattaponi tribe of Virginia Indians has also brought traditional tributes of game and fish to the Governor. ¹²³
November 27, 1946	Indians Present Wild Turkey To Governor Chief O. T. Custalow [REDACTED] of the Mattaponi Indians came in Richmond yesterday to present Governor Tuck with a wild turkey, the renewal of an ancient tribal custom. ¹²⁴
December 5, 1946	[...] That picturesque ceremony of the Mattiponi [<i>sic</i> ; Mattaponi] Indians presenting their offering of game to the Governor of Virginia as rental for the reservation which they occupy in the Old Dominion is observed every year, the amount of game varying. This year Chief O. T. Custalow [REDACTED] with feathered headdress and in full regulation trapping of his tribe, presented Governor Tuck with a fine wild turkey. The Chief was accompanied by two little Indian maidens, his daughters, also in tribal costume, and altogether, with the nice exception of modern Governor William Tuck, presenting a picture that might have been taken in Governor Spotswood's time. [...] ¹²⁵
December 27, 1948	Q. I have had an argument with fellow workers about a tribe of Indians living in Virginia, who presented the Governor of the State with a wild turkey each year at Thanksgiving. I would like a little information about the custom, the name of the Indians, the size and location of their abode.- W. S., Jr., Dublin. [...] The Mattaponi tribe of Virginia Indians has also brought tributes of game and fish to the Governor. ¹²⁶

¹²⁰ Ryland, Elizabeth H., "Pamunkey Neck: The Birth of a Virginia County," *The Virginia Magazine of History and Biography* 50, no. 4 (October 1942): PDF Page 326.

¹²¹ Staff, "Turkey For Governor," *Richmond Times Dispatch* (Richmond, VA), November 30, 1944.

¹²² Staff, "Questions And Answers," *Richmond News Leader* (Richmond, VA), January 27, 1945.

¹²³ Staff, "Indian Tribute," *Richmond News Leader* (Richmond, VA), October 24, 1945.

¹²⁴ Staff, "Today's News in Brief," *The Arlington Daily* (Arlington, VA), November 27, 1946.

¹²⁵ Staff, "Most Any--- and Everything," *The Virginia Star* (Culpeper, VA), December 5, 1946.

¹²⁶ Staff, "Questions And Answers," *Richmond Times Dispatch* (Richmond, VA), December 27, 1948.

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Date	Excerpt
March 19, 1949	Each year Chief Custalow [REDACTED] who dressed in full tribal regalia, carried turkey and other game to the Governor's mansion on Thanksgiving. ¹²⁷
November 24, 1949	The animal was presented by O. T. Custalow [REDACTED], chief of the all-but extinct tribe. [...] ¹²⁸
November 24, 1950	Generosity, traditional to the season, took the stop-light yesterday as Virginians celebrated Thanksgiving. Chief O. T. Custalow [REDACTED] of the Mattaponi Indian tribe, gave Governor Battle the customary turkey. [...] ¹²⁹
November 21, 1951	Thanksgiving bounty- an 18 pound wild turkey and two five pound rockfish - were brought to Richmond this afternoon by the Mattaponi Indians for Governor Battle. Sorry, no deer. Mattaponi Chief Custalow [REDACTED] said he got the turkey about 8:30 A.M. today while hunting on the tribal reservation in King William County. [...] Accompanying Custalow were his son, Thundercloud [REDACTED] and Princess White Feather. Presentation of tribute by Indians to the Governor is a custom dating to Colonial times. ¹³⁰
November 27, 1952	[...] Members of two of the Indian tribes of Tidewater, Va., the Pamunkeys and the Mattaponis, pay tribute to the governor of Virginia at Thanksgiving. The reservations of both these tribes are situated in King William County of the "Old Dominion." The Pamunkey reservation is about thirty-five miles from Richmond. The Mattaponis are about ten miles from the Pamunkeys, separated from them by a strip of land which gradually passed into the hands of the white man. The Pamunkey tribe was one of about thirty tribes under control of Powhatan, father of Pocahontas. Powhatan was one of the few Indians whose names have come down in history as leaders of their people. The Mattaponis residing along the banks of the Mattaponi river, are thought to be a part of the Pamunkey tribe. In their treaty of peace with the English in 1642, it was required of the Pamunkey tribe, "that in March of each year their great men should tender obedience to the Right Honorable Governor at his place of residence. Twenty beaver skins were to be brought to the governor in acknowledgment of the fact that these Indians held their crowns and lands, of the great King of England."

¹²⁷ Staff, "G. F. Custalow, Mattaponis' Chieftain Dies," *Richmond News Leader* (Richmond, VA), March 19, 1949; Staff, "George F. Custalow, Chief Of Mattaponi Indians, Dies," *Richmond Times Dispatch* (Richmond, VA), March 19, 1949; Staff, "Indian Chief To Be Given Tribal Burial," *Richmond Times Dispatch* (Richmond, VA), March 20, 1949; Staff, "George F. Custalow," *Newport News Daily Press* (Newport News, VA), March 22, 1949; Staff, "Annual Indian Tribute Is Presented To Gov. Tuck," *The Daily Review* (Clifton Forge, VA), November 23, 1949; Staff, "Indian Chief Custalow Given Tribal Burial," *The Tidewater Review* (West Point, VA), March 24, 1949; Staff, "Fair Thanksgiving Weather Due in Morning; Forecaster Says It Will Be Colder Tonight," *Richmond Times Dispatch* (Richmond, VA), November 24, 1949.

¹²⁸ Staff, "Fair Thanksgiving Weather Due in Morning; Forecaster Says It Will Be Colder Tonight," *Richmond Times Dispatch* (Richmond, Virginia), November 24, 1949.

¹²⁹ Staff, "Indians Give Turkey To Gov. Battle," *The Bee* (Danville, VA), November 24, 1950. See also: Staff, "Thanksgiving Is Marked By Generosity," *The Evening Leader* (Staunton, VA), November 24, 1950.

¹³⁰ Staff, "Governor Gets Turkey, But No Deer," *Richmond News Leader* (Richmond, VA), November 21, 1951.

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Date	Excerpt
	<p>After the beaver had become extinct, the Pamunkey Indians, according to the treaty of 1677, were required to "take a tribute of game, skins or fish to the governor of Virginia." This treaty, although not now compulsory is still being observed, as the Pamunkey Indians on the reservation bring their annual gifts to the governor of Virginia at Thanksgiving.</p> <p>Usually, they bring a deer and perhaps a turkey, wild geese, duck or fish, depending upon what they have been able to find. Chief Custalow [REDACTED] of the Mattaponis, and Chief Cook of the Pamunkeys, with several members of their families, come for the presentation. The gifts are swinging from a pole which is borne on the shoulders of the chiefs or their elaborate headdress of feathers and their ceremonial robes, and execute a tribal dance. [...] ¹³¹</p>
November 23, 1953	<p>Members of the Mattaponi tribe present Governor Battle with a Thanksgiving deer, a long-standing custom of the Virginia tribe. The 12-point deer was killed by the braves Friday afternoon. From left: Chief O. T. Custalow [REDACTED], Lewis Brooks [REDACTED], Diane Lynn Custalow [REDACTED], Jacob V. Custlaw [REDACTED], Claudia Jessup, a playmate of the Governor's grandchildren, Anne Battle, the Governor's granddaughter, Governor Battle, Dewey Custalow [REDACTED] and Jack Custalow; [REDACTED] ¹³²</p>
November 25, 1954	<p>Gov. Stanley was presented with a Thanksgiving offering of fish and wild turkey today by Virginia's Mattaponi Indians.</p> <p>Chief O. T. Custalow [REDACTED] in ceremonial feathers, made the presentation on the steps of the executive mansion, where yesterday the chief of the Pamunkey tribe, Tecumseh Deerfoot Cook, had given the governor a deer, a Canada goose and a brace of mallard ducks.</p> <p>The two tribes, following a long-standing tradition, have presented Virginia governors with tributes of wild game just prior to Thanksgiving and Christmas holidays. [...] ¹³³</p>
November 24, 1955	<p>Chief O. T. Custalow [REDACTED] and Little Chief Blue Wing [REDACTED] present a turkey and three rockfish to Governor Stanley on the steps of the Mansion. The game came from the Mattaponi Indian Reservation, where the chief's tribe lives as technical wards of the State. The gift of game to the Governor is a ritual of many years' standing. ¹³⁴</p>
June 18, 1958	<p>[...] Both the Pamunkey and the Mattaponi Indian tribes vied with each other to fetch him venison, fish and wild fowl at Thanksgiving. ¹³⁵</p>
November 27, 1958	<p>Chief O. T. Custalow [REDACTED] (left) of the Mattaponi tribe and Chief Tecumseh Deerfoot Cook of the Pamunkeys delivered the Virginia Indians' traditional gift of game and fish to Governor Almond on Thanksgiving eve. Four-year-old "Little Chief Blue Wing" Custalow [REDACTED] lent a hand. Mattaponi hunters brought in a 19-pound wild turkey, plus some rockfish, while Pamunkey marksmen- using firearms instead of arrows- bagged the 100-pound buck. Custom of Indians' Thanksgiving tribute to Governor dates back to Colonial times. ¹³⁶</p>

¹³¹ Staff, "On Opening the Mail," *The Kansas City Star* (Kansas, MO), November 27, 1952.

¹³² Staff, "Following The Deer Tradition," *Richmond News Leader* (Richmond, VA), November 23, 1953.

¹³³ Staff, "Mattaponis Offer Traditional Gift To Gov. Stanley," *Newport News Daily Press* (Newport, VA), November 25, 1954. See Also: Staff, "Traditional Tribute," *Richmond News Leader* (Richmond, VA), November 25, 1954.

¹³⁴ Staff, "Traditional Tribute," *Richmond Times Dispatch* (Richmond, VA), November 24, 1955. See also: Staff, "Traditional Tribute," *Dayton Daily News* (Dayton, OH), November 25, 1955.

¹³⁵ Foster Jr., William B., "Gifts to Governors Seen No Va. Problem," *Richmond News Leader* (Richmond, VA), June 18, 1958.

¹³⁶ Staff, "Thanksgiving Tribute," *Richmond Times Virginia* (Richmond, VA), November 27, 1958. See Also: Staff, "Richmond, Va.," *The Bradenton Herald* (Bradenton, FL), November 27, 1958.

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Date	Excerpt
January 1959	The paying of tribute by Indians in colonial days is still evident in twentieth-century Virginia. On the basis of the 1677 treaty, tribes such as the Pamunkey and Mattaponi, who live on reservations in King William County, voluntarily present each year to the Governor of Virginia a token tribute of game at Thanksgiving. ¹³⁷
December 13, 1959	[...] In front of the Governor's Mansion a 5-year-old Mattaponi Indian boy named Little Chief Blue Wing [REDACTED] was dancing over a dead wild turkey and some rockfish. He was in costume and was dancing in the best Indian tradition, hunched, knees bent, head bobbing. The significance of the dance wasn't explained, but the turkey and rockfish represented the annual tribute to the governor from the remnants of the Mattaponi tribe. Tribal Indians have been paying tribute in lieu of taxes in Virginia for more than 300 years. ¹³⁸

Conclusion

The external relations outlined above demonstrate Mattaponi leaders exerting political authority (83.11 (c)(2)(i)) throughout the period from 1940 to 1959 by “representing the entity in dealing with outsiders in matters of consequence,” (83.11(c)) through various efforts to safeguard tribal status. The inclusion of members in activities like the Tribute is indicative of the Tribe’s ability “to mobilize significant numbers of members and significant resources from its members for entity purposes” (83.11(c)(1)(i)). The tribute ceremony also demonstrates “widespread knowledge, communication, or involvement in political processes” 83.11(c)(1)(iii)). Participation in each of these events from tribal members shows that “the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance” (83.11 (c)(1)(ii)). The instances of representing the Tribe at ceremonial events and the tax tribute in conjunction with the Pamunkey Tribe The government of a federally recognized Indian tribe has a significant relationship with the leaders or the governing body of the petitioner (83.11 (c)(1)(vi)).

The conflict and subsequent characterization of the Reservation in the 1940 census highlights the tribal government’s continuing role in the allocation of “entity resources such as land, residence rights, and the like” (83.11 (c)(2)(i)(A)) and its ability to exert “strong influence on the behavior of individual members” (83.11 (c)(2)(i)(C)). The question of whether Mattaponi members were subject to the selective service and its role in interfacing with governmental agencies on behalf on tribal members in regards to education demonstrates a concern with tribal members’ livelihood strategies and demonstrates the tribal government’s ability to “organize or influence economic subsistence activities” (83.11 (c)(2)(i)(D)). In conjunction with mediating communication and relationships with intertribal and state officials, the entry of federal agencies into activities on behalf of the Tribe, such as coordinating education at the Cherokee Indian school, shows a recognition federal responsibility with regard to the Tribe.

Evidentiary Applicability

Overall, the evidence presented above demonstrates that the Mattaponi Indian Tribe meets Criterion 83.11 (c)(1) and (c)(2) throughout the period from 1940 to 1959. Additionally, the evidence from meeting minutes and primary and secondary sources are sufficient to fulfill Criterion 83.11 (c)(2) at a high level and thus should be interpreted to meet Criterion 83.11 (b)(2)(v) for the same period.

¹³⁷ Robinson, W. Stitt., “Tributary Indians in Colonial Virginia,” *The Virginia Magazine of History and Biography* 67, no. 1, (January 1959): 49-64 [PDF 17].

¹³⁸ McDowell Jr., Charles, “Enter the Smiler Without the Knife,” *Richmond Times Dispatch* (Richmond, VA), December 13, 1959.

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4. Criterion (c): 1960 to 1979

Introduction

Throughout the period of 1960 to 1979, the Mattaponi tribal government continued to exert political authority over the Reservation and tribal members, in fulfillment of Criterion (c) of 25 CFR 83.11. Examples of the Mattaponi tribal government acting as an “autonomous entity” that held “political influence or authority over its members” (83.11(c)(1)) include the ability to “mobilize significant numbers of members and significant resources... for entity purposes” (83.11 (c)(1)(i)) through tribal elections and participation in key tribal events such as the annual tribute to the Governor. Participation from tribal members in political processes established through tribal laws indicates that “many of the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance” (83.11 (c)(1)(ii)) and that there is “widespread knowledge, communication, or involvement in political processes” (83.11(c)(1)(iii)). During this period, the Mattaponi Tribal Council joined Pamunkey leaders to lobby for hunting license exemptions and the continuation of their state-funded hatcheries, which demonstrates the durable relationships between the Mattaponi and other federally recognized Indian Tribes (83.11 (c)(1)(vi)). Regular maintenance of tribal institutions such as the hatchery, and federal funds used for upgrading tribal members’ homes through a HUD grant additionally show the active use of “land set aside by a State for the petitioner” (83.11 (c)(1)(vii)).

Moreover, the pursuit and allocation of federal funds for housing repair along with the allotment of tribal lands show the tribal government’s ability to “allocate entity resources such as land, residence rights, and the like” (83.11 (c)(2)(i)(A)). Tribal members’ continued adherence to tribal laws is indicative of the tribal government’s ability to exert “strong influence on the behavior of individual members, such as the establishment or maintenance of norms or the enforcement of sanctions to direct or control behavior” (83.11 (c)(2)(i)(C)). During this period, the Mattaponi Tribal Council presided over tribal court proceedings, demonstrating the existence of mechanisms to “settle disputes,” (83.11 (c)(2)(i)(B)). Additionally, the tribal government’s management of federal funds through the Comprehensive Employment Training Act and similar activities indicate its ability to organize “economic subsistence activities,” (83.11 (c)(2)(i)(D)). Such evidence, by meeting the requirements of 25 CFR 83.11 (c)(2), has “provided more than sufficient evidence to demonstrate distinct community” for the period from 1960 to 1979, and thus fulfills the crossover provision in 25 CFR 83.11 (b)(2)(v).

Tribal Leadership

In the period of 1960 to 1979, the Mattaponi Indian Tribe chose political leaders through regular elections. After the passing of Chief O.T. Custalow in 1969, Curtis Custalow, Sr. was elected as Chief for a period of two years. Once elected, the Chief had the option of serving a two-year or four-year term. Chief Curtis Custalow served consecutively until 1977. Webster Custalow served as Assistant Chief under Chief Curtis Custalow, Sr. and was elected as Chief in 1977. Jacob Vincent Custalow, Sr. served as Assistant Chief under Chief Webster Custalow until his passing in 1982. Tribal citizen and reservation resident [REDACTED] described tribal leadership during this period:

Well, I remember Grandpa, of course, [REDACTED]
[REDACTED] I can't remember for the life of me at this time who his assistant was. I really can't remember right now. But elders, usually the elder men, I think Uncle [REDACTED]
[REDACTED] was a councilman at the time. Uncle [REDACTED]
[REDACTED] was a councilman. I think Uncle [REDACTED]
[REDACTED] and I believe Daddy [REDACTED]
[REDACTED] was a councilman at the time. And I'm not gonna say that that was all, but that's who comes to mind. And then later, when Grandpa passed away in [19]69 and elections were held again, then my daddy was elected as chief, and Uncle [REDACTED] was his assistant.

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And then the council kind of consisted of the same 'cause those folks were still living. Consisted of those same folks that I just mentioned just now. Daddy had a lot of health issues arising from World War II. And he resigned due to health in [19]77 and then that's when the assistant chief, Uncle [REDACTED] was elected as chief. But your daddy, your dad was assistant chief? Uncle [REDACTED]¹

Offices within the tribal government, aside from Chief and Assistant Chief, were also elective. During this period positions included: Secretary, Treasurer, and Assistant Treasurer. Leadership roles within the Mattaponi Indian Baptist Church often overlapped with the leadership of the tribal government. Chief O.T. Custalow was ordained as a Baptist minister and Councilman Harvey N. Custalow acted as Reverend of the Tribe's church.

Table C4-1. Tribal Leaders, 1960-1979.

Date	Title	Tribal Leaders
1949 - 1969	Chief	Otha Thomas Custalow [REDACTED] ²
1969 - 1977	Chief	Curtis Lee Custalow Sr. [REDACTED] ³
1977 - 2003	Chief	Daniel Webster Custalow [REDACTED] ⁴
1949 - 1977	Assistant Chief	Daniel Webster Custalow [REDACTED] ⁵
1977 - 1982	Assistant Chief	Jacob Vincent Custalow Sr. [REDACTED] ⁶
1959 ca. - 1982	Councilman	William Garnett Custalow [REDACTED] ⁷
1969 ca. - 1996	Councilman	Ernest Alexander Langston Sr. [REDACTED] ⁸

¹ [REDACTED], "Interview: [REDACTED]" By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, March 23, 2023, PDF Page 9; Anthropologist Helen Rountree also conducted fieldwork on the Mattaponi Indian Reservation at this time and observed the Council election process. See: Class Fieldtrip to Mattaponi Reservation Notes, 14 March 1970, Helen C. Rountree, Fieldnotes, 1969-1973, Helen C. Rountree Papers, National Anthropological Archives, Smithsonian Institution, National Anthropological Archives, Washington, D.C., Box 2, PDF Page 23.

² Staff, "To Ordain Custalow Baptist Evangelist," *The Tidewater Review* (West Point, VA), January 21, 1960; Staff, "Troop's Trooper Tapped For Indian Brotherhood," *Suffolk News-Herald* (Suffolk, VA), May 14, 1961; Staff, "Listening Post," *The Times Recorder* (Zanesville, OH), February 9, 1962; Staff, "Old Church MYF To Hear Talk By Chief Custalow," *The Tidewater Review* (West Point, VA), February 21, 1963; Marble, Robert L., "Hatcheries Bill Out Of Committee Following Plea By Indian Chief," *Newport News Daily Dispatch* (Newport, VA), February 14, 1964; Staff, "DAR To Hear Indian Chief," *Rappahannock Record* (Kilmarnock, VA), January 7, 1965; Staff, "Mattaponi Tribe Adopts Newport News Woman," *Newport News Daily Dispatch* (Newport, VA), January 12, 1966; Staff, "Scouts Arrive Wet- But Safe After Trip On Mattoponi [sic]," *Southside Sentinel* (Urbanna, VA), March 30, 1967; Staff, "Area Indians Visit Assembly," *Southside Sentinel* (Urbanna, VA), February 22, 1968; Staff, "Indian Chief and Son to Visit First Baptist Church March 30-- 9:40 A.M.," *The Times* (Munster, IN), March 28, 1969.

³ Staff, "Mattaponi Chief Named," *Newport News Daily Press* (Newport, VA), November 1, 1969; Staff, "UPI- The Mattaponi Indians," *The Herald Citizen Tri-County Shopper* (Woodstock, IL), January 28, 1970; Furgurson, Ernest B., "The Advantages of Backwater Living," *The Baltimore Sun* (Baltimore, MD), February 18, 1971; Staff, "Haliwar [sic] Indian Tribes Meet Today," *Durham Morning Herald* (Durham, NC), April 14, 1972; Staff, "Haliwa Tribe Plans Pow Wow on April 20," *The Robesonian* (Lumberton, North Carolina), April 11, 1973; Staff, "Reservations Granted \$250,000," *Newport News Daily Press* (Newport News, VA), July 16, 1975; Staff, "Annual Tribute," *Newport News Daily Press* (Newport News, VA), November 27, 1975; Powell, L., "AFS Exchange students reveal their impressions before leaving for their homes," *The Daily Mail* (Hagerstown, MD), July 9, 1976; Byrd, J., "Mattaponi live in present with regard for past," *The Tidewater Review* (West Point, VA), September 6, 1978; Harrell, B., "Va. Indians open festival," *The Smithfield Times* (Smithfield, VA), July 18, 1979.

⁴ Staff, "Congressman Paul Trible," *Glo-Quips* (Gloucester, VA) December 14, 1977; Parrott, J., "Life Has Few Wrinkles for Soviet Emigre," *Los Angeles Times* (Los Angeles, CA), November 24, 1978; Budahn, P. J., "The Heritage Of Us All," *Newport News Daily Press* (Newport News, VA), September 17, 1979; Staff, "Even Woolly Worms Unsure Of Weather," *Newport News Daily Press* (Newport News, VA.), November 14, 1979; Staff, "Paying Taxes," *The Columbia Record* (Columbia, SC), November 22, 1979.

⁵ Staff, "Mattaponi Chief Named," *Newport News Daily Press* (Newport News, VA), November 1, 1969; Virginia House of Delegates, 1994, Resolution: House Joint Resolution No.22 Commending Chief [REDACTED], Richmond, Virginia.

⁶ Staff, "What's Happening in West Point Sept. 7, 8, 9?" *Southside Sentinel* (Urbanna, VA), September 6, 1978.

⁷ Tribal Meeting Minutes, 30 October 1969, [REDACTED] Private Collection; Personal Communication with Tribal Council, 19 October 2024.

⁸ Tribal Meeting Minutes, 30 October 1969, [REDACTED] Private Collection.

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Date	Title	Tribal Leaders
1970 ca. - 1978 ca.	Councilman	David Windell Custalow Sr. [REDACTED] ⁹
1969 - Unknown	Councilman	Harvey Nathaniel Custalow [REDACTED] ¹⁰
1971 - 1973	Councilman	George Forrest Custalow Jr. [REDACTED] ¹¹
1962 ca. - 2013	Councilman	Bradley Leon Custalow [REDACTED] ¹²
1970 ca. - 1990 ca.	Councilman	Alfred Lucian Allmond Sr. [REDACTED] ¹³
1960 - 1969	Ordained Minister	Otha Thomas Custalow [REDACTED] ¹⁴
1960 - 1970	Reverend	Harvey Nathaniel Custalow [REDACTED] ¹⁵
1969 - 1970	Secretary	Malcolm Tecumseh Custalow Sr. [REDACTED] ¹⁶
1969 - 1974 ca.	Treasurer	Solomon Dewey Custalow Jr. [REDACTED] ¹⁷
1969 - 1974 ca.	Assistant Treasurer	Ralph Dewey Custalow [REDACTED] ¹⁸

Conclusion

The succession of tribal leaders in this period shows the existence of a “continuous line of entity leaders” (83.11 (c)(1)(viii)) who played key roles in the exercise of political authority under criterion 83.11 (c)(2)(i). Established political processes to govern elections and the transfer of power, discussed further below, demonstrate the existence of “the widespread knowledge, communication, or involvement in political processes” (83.11 (c)(1)(iii)) by tribal members. The breadth and overlap of leadership within the central tribal institutions of the government and the church show that “the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance” (83.11 (c)(1)(ii)).

Resource Use and Allocation

During the period between 1960 to 1979, the Mattaponi tribal government administered tribal laws that governed the allocation of land and resources on the Mattaponi Indian Reservation. Most important in this was the regulation of tribal lands on the Mattaponi Indian Reservation. In a 1974 interview, Chief Curtis Custalow Sr. [Curtis Lee Custalow Sr.; b.1916 – d.2001] described the way reservation property was handled:

This land has never been deeded or recorded to any individual EVER; it has always been held collectively by Mattaponi. [...] As I stated before, the land is held collectively by the

⁹ [REDACTED], “Interview: [REDACTED],” By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, July 12, 2023, PDF Page 5; Personal Communication with Tribal Council, 19 October 2024.

¹⁰ Tribal Meeting Minutes, 30 October 1969, [REDACTED] Private Collection.

¹¹ Tribal Meeting Minutes, 30 October 1971, [REDACTED] Private Collection.

¹² Tribal Meeting Minutes, 9 May 1997, Tribal Government Collection; Personal Communication with [REDACTED] 19 October 2024.

¹³ Personal Communication with Tribal Council, 19 October 2024.

¹⁴ Staff, “To Ordain Custalow Baptist Evangelist,” *The Tidewater Review* (West Point, VA), January 21, 1960; Staff, “Troop’s Trooper Tapped For Indian Brotherhood,” *Suffolk News-Herald* (Suffolk, VA), May 14, 1961; Staff, “Indian Chief, Squaw Hosts to Golden Agers,” *The Hopewell News* (Hopewell, VA), October 12, 1962; Staff, “Chief Custalow to Speak Sunday,” *Rappahannock Record* (Kilmarnock, VA), July 29, 1965; Staff, “Turkey, 10 Fish Meet Tax Bill,” *Journal Herald* (Dayton, OH), November 24, 1966; Staff, “Cub Scouts Spend Day with Indians At Mattaponi Reservation On Sun,” *The Farmville Herald* (Farmville, VA), April 25, 1969.

¹⁵ Staff, “Mattiponi [sic; Mattaponi] Chief to be Ordained,” *Newport News Daily Press* (Newport, VA), January 23, 1960; Staff, “Indian Church Sets Home-Coming,” *The Tidewater Review* (West Point, VA), August 22, 1963; Staff, “Indian Leaders Expected for Chickahominy Festival,” *Newport News Daily Press* (Newport News, VA), September 20, 1970.

¹⁶ Tribal Meeting Minutes, 30 October 1969, [REDACTED] Private Collection; Personal Communication, [REDACTED], 12 October 2024.

¹⁷ Tribal Meeting Minutes, 30 October 1969, [REDACTED] Private Collection.

¹⁸ Tribal Meeting Minutes, 11 June 1970, [REDACTED] Private Collection.

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people, by the government, and no one holds a clear deed or title to any parcel of land.¹⁹
 [...]

The continuation of the Mattaponi Tribal Council's oversight over and regulation of land and resources on the Mattaponi Indian Reservation is indicative of its political authority throughout this period.

Reservation Allotments

The assignment of allotments during the period from 1960 to 1979 included the splitting of allotments to accommodate new citizens and the recognition of the inheritance of homes. Chief Curtis Custalow Sr. [REDACTED] described how the process for splitting allotments to accommodate reinstated tribal members evolved in response to sanitation issues:

What we did back then because the law says that the largest lot shall be cut in half to make room for those that have no land at all, no lot at all. But then we realized that we had to set some type of standard because of the modern day living. Everybody on the reservation has an individual septic system, drain field and all that go with it, and wells, independent wells for each household on Reservations. We have to have at least three quarters of an acre for each holding. Now, we felt that that was a little bit shy and some of the time somebody might have an acre and a half of land, but they have that well in their septic system situated in such a manner that you can't very well cut that acre in a half to make three quarters of an acre because you would be very well getting pollution from somebody's septic system into someone's drinking water or well water.²⁰

In the case of an allotment holder passing away, their spouse has lifetime rights to live on the reservation or they can bequeath the lot to a Mattaponi descendant. For example, after the death of Chief O.T. Custalow, a Town Meeting was held to assign the lot for the Mattaponi Indian Museum, which was owned collectively by O.T.'s thirteen living children (April 1970). Meeting minutes during this period also outline the process of relinquishing part of an allotment back to the Tribe to be redistributed (July 21, 1972). In previous decades, tribal law stipulated that the largest lot would be cut for a new lot. However, by this time the Mattaponi population was beginning to outgrow the reservation.²¹ For a new allotment, someone would have to relinquish part of theirs back to the Tribe, and the Mattaponi Tribal Council would reallocate the land to someone else.

Table C4-2. Resource Use and Allocation, 1960-1979: Reservation Allotments in Tribal Meeting Minutes.

Date	Excerpt
April 1970	<p>Mattaponi Indian Museum Inc.</p> <p>Town Meeting held to assign lot for museum to decide operate on. Meeting presided over by [REDACTED] Meeting opened with prayer by councilman [REDACTED]</p> <p>Moved by councilman [REDACTED] and second by Councilman (Head) [REDACTED] that the Mattaponi Indian Museum Inc be [invocable?] allowed to operate the museum where it is now, located on the lot of the deceased [REDACTED]</p>

¹⁹ Transcription from tape of Chief [REDACTED] talking to students, 23 February 1974, Helen C. Rountree, Fieldnotes, 1973-1982 Helen C. Rountree Papers, National Anthropological Archives, Smithsonian Institution, National Anthropological Archives, Washington, D.C. Box 2, PDF Page 7.

²⁰ [REDACTED], Interview: Chickahominy Fall Festival, 1981, Edited by Helen Rountree, National Anthropological Archive, Washington, D.C.: Smithsonian Institution, Original edition, Helen Rountree, PDF Page 3.

²¹ Law Ledger, 16 June 1914, [REDACTED] Private Collection, PDF Pages 9-10.

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Interviewee	Date	Excerpt
		Yeah, as far as I know we had to write a letter asking to be reinstated. And then they would hold their council meeting and decide from there. ²⁶
	1975 ca.	I asked to be reinstated to the reservation and I asked for a piece of land. It went in front of council. And my dad [REDACTED] decided he was going to give me part of his. So, they cut his. And that's how I have my house on the reservation now. But it always has to go in front of council, and they have to approve it. It was approved after my dad gave a part of his, [...] But other people could have given part of theirs too, but chose not to, but my dad did. [...] [it was] very rare, because it was only, I think it was, mine. And then when [REDACTED] and them passed away. It was left to [REDACTED] [REDACTED] gave it to [REDACTED]. And [REDACTED] asked for a piece and her dad [REDACTED] gave her the piece that's right in front of their house right now. And she gave that up to move in her mom's [REDACTED] house. ²⁷
	1975 ca.	[REDACTED] : Can you describe any of the tribal government's involvement on your allotment?] It was divided again for [REDACTED]. Originally, [REDACTED] called for that lot and it was divided for him, but within two years he didn't start to build. And so, it was considered to be vacant and then [REDACTED] called for it. [...] that's how they did it back then, is, when people called for a lot, largest lot would be cut. ²⁸

Newspapers during this period also highlight the continuation of allotment laws and processes on the Mattaponi Indian Reservation. These articles highlight the process of reinstatement (February 18, 1971), the procedure for the redistribution of lands for those tribal members that moved away, and the possibility of waivers for those who move away under special circumstances, like military service or educational pursuits (July 18, 1979).

Table C4-4. Resource Use and Allocation, 1960-1979: Reservation Allotments in Newspapers.

Date	Excerpt
February 18, 1971	[...] Once a man has gone "on the commonwealth," as they put it, coming home is not a simple matter of moving back in. He has to make a formal request of the chief, who calls a meeting of the reservation council, which votes on the matter. In Joe's [REDACTED] case there was no complication because he had left of his own free will. The only problem was finding a home for him. [...] ²⁹

²⁶ [REDACTED], "Interview: [REDACTED]," By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, July 12, 2023, PDF Page 1-3.

²⁷ [REDACTED], "Interview: [REDACTED]," By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, July 25, 2023, PDF Page 4-5.

²⁸ [REDACTED], "Interview: [REDACTED]," By [REDACTED] and [REDACTED], Mattaponi Indian Tribe, March 23, 2023, PDF Page 6-7.

²⁹ Furgurson, Ernest. B., "The Advantages of Backwater Living," *The Baltimore Sun* (Baltimore, MD), February 18, 1971.

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Date	Excerpt
July 18, 1979	[...] The Mattaponi Indians are allotted land as long as they live on the reservation. "If they leave for two or more years," Chief Custalow ██████████ said, "the land goes back to the government." He added that Indians who wish to leave the reservation for service or to further their education could obtain a special waiver from the tribal council. ³⁰

Regulation of Reservation Properties and Resources

From 1960 to 1979, the Mattaponi Tribal Council continued to regulate tribal properties such as the schoolhouse. For example, the tribal government organized a vote of members to give permission for the use the school building as temporary, rent-free housing for a family for sixty days (June 11, 1970), a situation the family still remembers:

██████████ [...] When we moved down here, we started off living in this building, the school building, until we could get a place to live. And then ██████████ gave Mother ██████████ a piece of his land which was part of his garden. And we had gotten a trailer pulled down and we lived in that. [...] ³¹

This incident shows not only the regulation of how reservation property may be utilized, it also shows the tribal government providing housing, a public service, to tribal members.

Table C4-5. Resource Use and Allocation, 1960-1979: Regulation of Allotments in Tribal Meeting Minutes.

Date	Excerpt
June 11, 1970	<p>New business at hand and to be discussed, A letter received from ██████████ ██████████ to be read asking the chief council and members of the tribe to rent or sell to him the building known as the school house for living quarters "home."</p> <p>On motion made by ██████████ and Sec. By ██████████ to lease school house on Mattaponi Ind Res. To ██████████ for sixty days "60 days" RENT FREE ██████████ will pay all utility bill incurred such as electric, gas, oil. For said 60 days from date. Also space would be reserved for storing school house furnishing's such as 'furniture.' Books. File cabinets etc.</p> <p>Space reserved for Res business meetings- Motion put before council and members – question- Vote.³²</p>

Conclusion

During this period, the tribal government demonstrated its ability to "mobilize [...] significant resources [...] for entity purposes" (83.11 (c)(1)(i)) by renting the school building temporarily to a tribal member in need. The understanding of the process to call for a lot demonstrates that "there is widespread knowledge, communication, or involvement in political processes by many of the entity's members" (83.11 (c)(1)(iii)), and each instance cited above is an example of the active use of "land set aside by a State for the petitioner"

³⁰ Harrell, B., "Va. Indians open festival," *The Smithfield Times* (Smithfield, VA), July 18, 1979.

³¹ ██████████, "Interview: ██████████," By ██████████ and ██████████, Mattaponi Indian Tribe, July 12, 2023, PDF Page 1-3.

³² Tribal Meeting Minutes, 11 June 1970, ██████████ Private Collection.